

REPORT ON THE DISEASES OF THE HORSE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 92) providing for the publication of 50,000 copies of the Special Report on the Diseases of the Horse; which was referred to the Committee on Printing.

REPORT ON THE DISEASES OF CATTLE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 91) providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle; which was referred to the Committee on Printing.

FRANKS FOR SENDING OUT SEED.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 83) providing for the printing annually of franks required for sending out seed; which was referred to the Committee on Printing.

FORTIFICATIONS APPROPRIATION BILL.

Mr. PERKINS. On Saturday last I gave notice that I would to-day call up the bill (H. R. 13359) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, but, at the request of the senior Senator from Vermont [Mr. PROCTOR], who is waiting for an answer to a resolution of the Senate relative to some information which he desires in connection with the bill, I give notice that on Wednesday morning next, immediately after the routine morning business, I shall ask the Senate to proceed with the consideration of that appropriation bill.

ARMY APPROPRIATION BILL.

Mr. PROCTOR. I am authorized by the Committee on Military Affairs to ask unanimous consent of the Senate that the vote by which the amendments to the Army appropriation bill were ordered to be engrossed and the bill to be read a third time and passed be reconsidered, solely for the purpose of proposing some slight amendments to the clause which authorizes the President to sell Army posts, restricting that right to three certain posts at Indianapolis, Columbus, and Buffalo, and authorizing him in those particular cases to use the money received in each of those places for purchasing other lands in the vicinity and constructing posts; and also an amendment which authorizes him in selling this property to subdivide it, as it is right in the midst of the cities named, and quite valuable.

The PRESIDENT pro tempore. The Senator from Vermont asks unanimous consent that the votes by which the amendment of the Senate to the bill H. R. 12804, an act making appropriation for the support of the Army for the fiscal year ending June 30, 1903, were ordered to be engrossed and the votes by which the bill was ordered to a third reading, read the third time, and passed may be reconsidered. Is there objection? The Chair hears none, and the bill is in the Senate and open to amendment.

Mr. PROCTOR. I move to amend the bill on page 24, line 22, before the word "military," by striking out the word "any" and inserting the word "the;" in the same line to change the word "post" to "posts" and the word "reservation" to "reservations," and after the word "reservations" to insert "at Indianapolis, Ind.; Columbus, Ohio, and Buffalo, N. Y." All these amendments are in the same line.

Mr. HANSBROUGH. Will the Senator allow me to ask him, does this propose that any specific portion of the \$4,000,000 appropriated shall be expended at those places?

Mr. PROCTOR. No; it has nothing to do with that. It only refers to the amounts realized from the sale of the existing posts.

The PRESIDENT pro tempore. The amendments proposed by the Senator from Vermont will be stated.

The SECRETARY. On page 24, line 22, before the word "military," it is proposed to strike out "any" and insert "the;" in the same line to change the word "post" to "posts" and "reservation" to "reservations," and after "reservations" to insert "at Indianapolis, Ind.; Columbus, Ohio, and Buffalo, N. Y."

The amendments were agreed to.

Mr. SPOONER. Let the language now be reported as it has been amended.

Mr. PROCTOR. There are other amendments, and the text can be read after they have been adopted.

Mr. SPOONER. Very well.

Mr. PROCTOR. In the same clause, on page 24, line 25, after the word "value," I move to insert "either as a whole or in subdivisions."

The amendment was agreed to.

Mr. PROCTOR. On page 25, after the word "Treasury," I

move to strike out the part in italics and insert what I send to the desk in lieu of the words to be stricken out.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 25, after the word "Treasury," at the end of line 2, it is proposed to strike out:

And all such proceeds are hereby appropriated for the purchase of such other lands as may be required for military purposes or for building barracks and quarters on such other lands devoted to military purposes; and the Secretary of War is hereby authorized to make such purchases.

And in lieu thereof to insert:

And a sum of money not exceeding the proceeds of such sale or sales at each of such places, respectively, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of such lands at or in the vicinity of Indianapolis, Ind., Columbus, Ohio, and Buffalo, N. Y., respectively, as may be required for military purposes, and for building barracks or quarters on such lands, to be devoted to military purposes, and the Secretary of War is hereby authorized to make such purchases of lands for the establishment of military posts at such places, respectively.

The amendment was agreed to.

The PRESIDENT pro tempore. Does the Senator from Wisconsin desire the language read as it has been amended?

Mr. SPOONER. Yes.

The PRESIDENT pro tempore. The clause will be read as amended.

The Secretary read as follows:

And whenever in the opinion of the President the lands and improvements, or any portion of them, of the military posts or reservations at Indianapolis, Ind., Columbus, Ohio, and Buffalo, N. Y., have become undesirable for military purposes he may, in his discretion, cause the same to be appraised and sold at public sale at not less than the appraised value, either as a whole or in subdivisions under such regulations as to public notice and terms and conditions of sale as he may prescribe, and the proceeds to be deposited in the Treasury; and a sum of money not exceeding the proceeds of such sale or sales at each of such places, respectively, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of such lands at or in the vicinity of Indianapolis, Ind., Columbus, Ohio, and Buffalo, N. Y., respectively, as may be required for military purposes, and for building barracks or quarters on such lands to be devoted to military purposes, and the Secretary of War is hereby authorized to make such purchases of lands for the establishment of military posts at such places, respectively.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 13, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, May 12, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of Saturday's proceedings was read and approved.

ORDER OF BUSINESS.

The SPEAKER. This is District of Columbia day. Has that committee anything to bring up?

Mr. BABCOCK. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union to consider House bill 13405, now on the House Calendar.

The SPEAKER. Before that is done, it will be necessary to refer the bill to the proper Calendar—to the Committee of the Whole House on the state of the Union. So that transfer will be made.

Mr. COWHERD. Mr. Speaker, I want to ask the gentleman from Wisconsin if he will not consent that this bill may go over until the next District day? I desire to say to him that the gentleman from Illinois [Mr. CANNON] has taken a great interest in the measure, has given it some study, and has expected to be present at the time it was taken up. He is unavoidably absent at this time, and the gentleman knows how that absence has occurred. This matter has been for a month or more waiting until the gentleman from Wisconsin could be present, who has been unavoidably absent on account of sickness, and I ask unanimous consent that the measure go over until the next District day.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the consideration of this measure go over until the next regular District day. Is there objection?

Mr. BABCOCK. Yes; Mr. Speaker, I object. I wish to say, Mr. Speaker, in reference to that, I have been unavoidably absent from the House now three months; and, so far as I am personally concerned, I would be delighted to have the bill go over for two weeks or a month. But I have a duty to perform in the interest of the District, and the gentleman from Missouri will readily see that after an absence of three months, and now I am on the floor, that I would be failing here in my duty as chairman of the committee to consent to further delay in any District legislation.

Mr. COWHERD. I desire to say to the gentleman that there

is nothing of a public nature which necessitates the present consideration of this bill. The officers of this company concede that they are in no hurry. The gentleman from Illinois was present all the time when the gentleman from Wisconsin was absent, ready to consider it when it was taken up, but he is unavoidably absent, and I know that he wanted to be heard in this discussion.

Mr. BABCOCK. He will very likely have an opportunity before it is passed.

Mr. COWHERD. No; he is not in the city.

The SPEAKER. Objection is made. The question is on the motion of the gentleman from Wisconsin, that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill.

Mr. BABCOCK. Pending that motion, I ask unanimous consent that at 3 o'clock the Committee of the Whole House on the state of the Union report the bill and pending amendments to the House.

The SPEAKER. Pending the motion, the gentleman from Wisconsin asks unanimous consent that at 3 o'clock the committee rise and report the bill to the House, the previous question being ordered on the bill and amendments to passage. Is there objection?

Mr. COWHERD. I object.

Mr. WM. ALDEN SMITH. I object.

Mr. COWHERD. I will state to the gentleman from Wisconsin that I have no intention to delay the passage of the bill if we can have sufficient time for its consideration.

Mr. BABCOCK. How much time does the gentleman want?

Mr. COWHERD. We want to have two hours for general debate on our side, and then that the bill be read under the five-minute rule for amendment.

Mr. BABCOCK. Will the gentleman consent to 4 o'clock?

Mr. COWHERD. For general debate to close then?

Mr. BABCOCK. For the committee to rise at 4 o'clock.

Mr. COWHERD. I will not, if you give two hours in opposition to the bill, and then the bill be read under the five-minute rule. I have nothing to say as to how much time the gentleman would desire.

Mr. BABCOCK. I ask for my original motion.

The SPEAKER. The question is on the original motion of the gentleman from Wisconsin, that the House resolve itself into Committee of the Whole House on the state of the Union.

The question was taken, and the motion was agreed to.

WASHINGTON AND GEORGETOWN GASLIGHT COMPANIES.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. HASKINS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13405, which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 13405) authorizing the Washington Gaslight Company to purchase the Georgetown Gaslight Company, and for other purposes.

Mr. BABCOCK. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Wisconsin asks that the first reading of the bill be dispensed with. Is there objection? There was no objection.

Mr. BABCOCK. Mr. Chairman, the object of this bill is twofold. It reduces the price of gas in Georgetown from \$1.25 a thousand to \$1 per thousand. It authorizes the Washington Gaslight Company, or the company operating here in the main city, to buy the property and franchises of the Georgetown company. It further authorizes the Washington company to increase its capital stock from \$2,600,000 to the market value of the stock of the properties of both companies. The stock of the Washington Gaslight Company is now \$2,600,000 and of the Georgetown company \$150,000.

The provision in the bill limits it to the actual value of the stock. That is, this bill now before the committee. This, I believe, is all that this bill proposes to do, Mr. Chairman. While I reported this bill, I have been absent from the House, as most of the members know, on account of illness, and my colleague from Wisconsin [Mr. JENKINS] has kindly consented to take my place to-day on the floor. I now yield to him the balance of my time.

Mr. JENKINS. Mr. Chairman, I do not care to occupy any time just now.

Mr. BABCOCK. I think, Mr. Chairman, there is very little more to be said on this side of the House, and if gentlemen want to say anything in opposition they can do so.

Mr. CRUMPACKER. Mr. Chairman, I would like to ask the gentleman from Wisconsin a question.

Mr. BABCOCK. Certainly.

Mr. CRUMPACKER. What method does this bill provide for the ascertainment of the value of the respective plants for capitalization?

Mr. BABCOCK. It limits the capitalization to the market value of the stock for a period of three months.

Mr. CRUMPACKER. The average market value of the stock for a period of three months?

Mr. BABCOCK. Yes.

Mr. CRUMPACKER. Has the stock of these companies a quotation value?

Mr. BABCOCK. Yes; here in Washington; I do not think anywhere else.

Mr. CRUMPACKER. Are the values quoted on any stock exchange in the country?

Mr. BABCOCK. Yes; on the Washington Stock Exchange.

Mr. CRUMPACKER. Does the bill provide for including in the value the plant and franchises, aside from the value of the stock?

Mr. BABCOCK. I will say to the gentleman that the bill provides this method for fixing the value of the property. Now, I understand that before this bill is reported to the House another proposition will be made which authorizes the supreme court to fix the value of the property.

Mr. CRUMPACKER. That will come up in the form of an amendment?

Mr. BABCOCK. I understand it is to be offered.

Mr. CRUMPACKER. Does the gentleman from Wisconsin have any objection to that method of ascertainment of value?

Mr. BABCOCK. I have no objection to any fair method whatever.

Mr. CRUMPACKER. I ask these questions, for I have not read the bill. I have no objection to the consolidation, providing adequate safeguards are placed in the bill for the protection of the public.

Mr. BABCOCK. I want to say that the committee will accept any amendment that authorizes the company to issue their stock on a fair cash basis of the actual value of the property.

Mr. COWHERD. I want to say, Mr. Chairman, that no one is objecting to the consolidation.

Mr. PAYNE. I should like to ask the gentleman from Wisconsin a question.

Mr. BABCOCK. Very well.

Mr. PAYNE. I notice the provision for ascertaining the market value is this:

Provided, Such actual value to be determined by the average market price thereof during the period of three months next preceding the special meeting prescribed by this section, which said special meeting shall take place not later than three months after the passage of this act.

Does that give the owners and promoters of these gaslight companies an opportunity to force up the stock of the company, if they desire, in order to get the new consolidation?

Mr. BABCOCK. I do not see that it does. If the gentleman owned the stock he would have no reason for doing it, would he?

Mr. PAYNE. If I wanted to water the stock I think I could get the price up to the amount of the water I desire to put into it in three months.

Mr. BABCOCK. The business of the company, as I understand it, has been perfectly legitimate for fifty years. If the gentleman prefers an amendment that it shall be ascertained by the value of the stock for three months prior to the passage of the bill, that will be perfectly acceptable.

Mr. PAYNE. Is it true that the market value of this stock is now about four times its par value?

Mr. BABCOCK. I believe it is.

Mr. PAYNE. So, if this bill passes, on the present market value they would get four shares for one?

Mr. BABCOCK. The shares at present are \$20 par value.

Mr. PAYNE. Well, I think if I owned the stock I would be willing to take it on that basis without three months' speculation in advance.

Mr. RAY of New York. I desire to ask the gentleman from Wisconsin [Mr. BABCOCK] a question or two, if he pleases.

Mr. BABCOCK. Certainly.

Mr. RAY of New York. The present value of this stock is based largely upon the earnings of the company, is it not?

Mr. BABCOCK. Certainly. I take it for granted that it is based upon the value of the property.

Mr. RAY of New York. Well, the company is now paying such dividends to stockholders that the value of the stock has gone away up to about five times its par value.

Mr. BABCOCK. It would not be worth that much to me; I do not think it would to the gentleman from New York. They pay 10 per cent—

Mr. RAY of New York. Is it not the fact that to-day the charge of this company for gas is largely in excess of what it ought to be?

Mr. BABCOCK. No, sir; I do not think so. I do not believe that is conceded.

Mr. RAY of New York. Is not that the general complaint?

Mr. BABCOCK. I have not heard any such complaint. More

than that, this is the fact—that the people in Washington have the best gas that is furnished on the Atlantic coast. There is no other Eastern city that has the quality of gas that we have.

Mr. RAY of New York. I am not now speaking of the quality of the gas; I am speaking of the price charged. Your bill, if I understand—and if I am wrong I am perfectly willing to be corrected—proposes—if I have read aright the bill and the report—to permit this consolidated company to issue about five shares of stock in place of one of the present shares.

Mr. BABCOCK. That is right.

Mr. RAY of New York. In other words, they are going to say to a man: "Because your shares of stock are worth \$500 each, you may have five where you now have one." You are going to put the stock on the market at that rate, if this bill passes, without adding a cent's worth of real estate or personal property of any kind to the actual holdings of this company. Is not that the sum and substance of the proposition?

Mr. BABCOCK. The sum and substance—

Mr. RAY of New York. Is my statement wrong?

Mr. BABCOCK. Yes; it is wrong.

Mr. RAY of New York. Wherein?

Mr. BABCOCK. It is wrong in this: This company was established in 1848. Since that time it has earned money and accumulated money that has never been represented in stock. To-day its stock amounts to only \$2,600,000. I ask the gentleman to compare these figures with corresponding stock in his own State and in the cities of his own State, and the capitalization of the stock of companies there.

This has been a legitimately conducted business corporation from the time that it was organized, and the price of gas here in the city of Washington has gone down from \$3.50 per thousand to \$1 per thousand.

Mr. RAY of New York. The gentleman states that this company has been earning and accumulating money; now, has it that money on hand?

Mr. BABCOCK. No; it has been invested in their plant here in Washington, in different buildings, in extending their mains through the streets, in real estate, in everything that goes to make the property necessary to conduct the business of the company.

Mr. RAY of New York. You claim, then, that out of their profits they have been purchasing real estate and personal property and extending their plant until now the plant is worth, at the market valuation, five times what it was; that instead of taking these earnings or these profits and dividing them among the stockholders, they have been putting them into this property. Is that what you say?

Mr. BABCOCK. Yes, sir; they have.

Mr. RAY of New York. But the report does not show that; it shows the contrary.

Mr. BABCOCK. Does the gentleman say the report shows that the company has not invested their money in plants and buildings, etc.?

Mr. RAY of New York. As I understand, the report shows that the increased value of this stock arises simply from the earnings or profits of the company, which is due to the extravagant prices they charge consumers for gas. Now, if they would reduce their charges to the consumer for gas to a reasonable sum, they would not have these enormous profits, and their stock would be worth probably no more than par. That is about all there is of it, as I understand this bill. As I read the bill, you are simply proposing now to create a gas monopoly here in the city of Washington and to water the present stock in the ratio of about five to one, without the company adding a single penny of property of any description to the plant. So you would perpetuate the present price of gas regardless of its cost. In other words, we are to say by law that a dollar's worth of stock is worth \$5, and that it may be so sold; we are going to multiply the value of the holdings of each man by five, and do it by law.

A MEMBER. By five.

Mr. RAY of New York. And so approve and perpetuate the present extravagant charges for gas in the District of Columbia and in the city of Washington. So we create and perpetuate a gas monopoly or trust in this District.

Mr. BABCOCK. Will the gentleman state to the House where gas is sold cheaper, of this quality?

Mr. HILL. Or any other quality.

Mr. COWHERD. I can furnish the figures to the gentleman, if he wants them.

Mr. RAY of New York. I prefer that the gentleman from Missouri should state that; he has studied those figures.

Mr. BABCOCK. I ask the gentleman from New York. He made the statement it was an extravagant price, and I ask where, especially in the Eastern States, with which he is familiar, gas of the same quality is sold for less money?

Mr. RAY of New York. Well, the gentleman from Missouri

[Mr. COWHERD] says he can give those figures. I have not studied them.

Mr. BABCOCK. The gentleman will undoubtedly do that in his speech.

Mr. RAY of New York. I have heard the charges of extravagant prices made, outrageous prices, and one thing I do know, because I read by the gaslight in the District of Columbia, and that is that the quality of gas here is not any better than it is in the town where I live, and it is not any better than it is in many cities that I have visited.

Mr. HILL. I would ask the gentleman from New York what he pays for gas in the town where he lives?

Mr. RAY of New York. Well, I would not want to state just now; but there can be no comparison, because mine is a small town and conditions are not similar.

Mr. HILL. Not less than \$2, is it?

Mr. RAY of New York. Perhaps not.

Mr. PAYNE. Probably not, but there are only 6,000 people there.

Mr. SIMS. Yes; that is different.

Mr. PAYNE. Two dollars there would be worth about 75 cents in the city of Washington.

Mr. RAY of New York. I was simply asking the question for information at this time, and in saying what I have I stated it because I so understand. I am perfectly willing that the gentleman explain or answer, as he sees fit; I do not want to misrepresent anything.

Mr. COWHERD. Mr. Chairman, I understand the gentleman from New York [Mr. STEWART] desires to be heard. If the gentleman may be recognized in his own time very well, or I will yield him from mine, but I prefer that he be recognized in his own time and that I may be recognized in mine.

Mr. STEWART of New York. Mr. Chairman, I am opposed to the passage of this bill. I wish it distinctly understood that I am not opposed to the Washington Gaslight Company buying the stock of the Georgetown Gaslight Company and combining the two under one head and establishing a uniform price for gas in the District of Columbia. This is a good portion of the bill and should pass, and it shows the wisdom of the gaslight company in adopting it, for they hope to carry through the bad portion of the bill, which is section 4. I am opposed to the passage of this bill for several reasons.

In the first place, I am opposed to its passage, because the Washington Gaslight Company can not show much over one-third the amount of physical property for which they ask Congress to allow them to capitalize; second, if they are allowed to overcapitalize their property they will not be able to pay sufficient dividends to their stockholders and at the same time maintain their works to proper efficiency to serve the public; third, it precludes any reduction in the price of gas; fourth, it throws watered stock on the market which will ultimately fall into the hands of innocent purchasers; fifth, because Congress ought not to lend itself to any corporation or any scheme that will defraud the District of Columbia or the Government of the United States. I sat in the District Committee, to which this bill was referred, for two months, and no man ever appeared to advocate it or give any reason why the capital stock of this corporation should have its par value increased five times. The committee never had a hearing. They never considered the bill in committee to exceed forty-five minutes.

Mr. BABCOCK. Will the gentleman permit a question at this time? I would like to know if the gentleman himself is engaged in the manufacture of gas.

Mr. STEWART of New York. I have a thousand dollars of stock in one gas company.

Mr. BABCOCK. What price do you receive for the gas?

Mr. STEWART of New York. One dollar and twenty-five cents per thousand.

Mr. BABCOCK. What is the candlepower?

Mr. STEWART of New York. Eighteen to twenty candlepower.

Mr. BABCOCK. Now, Mr. Chairman, I want to call the attention of the House to the fact that there is an instance of gas of 18-candlepower at \$1.25 per thousand, while here it has a candlepower of 25.

Mr. STEWART of New York. That has nothing to do with the case.

Mr. PAYNE. I would like to ask the gentleman a question. How large a town is your gaslight company situated in?

Mr. STEWART of New York. A town of about 25,000 inhabitants.

Mr. PAYNE. What is the output?

Mr. STEWART of New York. About 34,000,000 feet.

Mr. PAYNE. What is the output of the Washington Gaslight Company?

Mr. STEWART of New York. One billion three hundred million feet.

Mr. PAYNE. Why, they are not parallel cases at all.

Mr. STEWART of New York. They are not parallel cases; \$1.25 in Amsterdam is much cheaper than a dollar is here, and the 18-candlepower can be produced for 14 cents less than the 25-candlepower. Twenty-five-candlepower in this city costs 60 cents, and this is the best gas that is made anywhere. Nobody is talking about the quality of the gas here; it is the very best, and it costs more money on that account.

Mr. HILL. I would like to ask a question right there on the point that the gentleman has just spoken of. I understand the gentleman to say that he is in favor of this bill up to section 4.

Mr. STEWART of New York. I am in favor of the section which permits them to combine the two companies and establish one price—a uniform price—for gas.

Mr. HILL. But you are opposed to section 4 on account of the increased valuation.

Mr. STEWART of New York. Yes.

Mr. HILL. You certainly must be aware of the fact that precisely the same language is used in regard to the Georgetown Gaslight Company in the purchase and sale as is used in section 4 in fixing the value of the stock.

Mr. STEWART of New York. It increases the stock about five times.

Mr. HILL. If you object to the increased valuation of the stock of the Washington Gaslight Company, why do you not object to the increased valuation of the stock of the Georgetown Gaslight Company in making the sale and purchase?

Mr. STEWART of New York. I do.

Mr. HILL. You say you do not.

Mr. STEWART of New York. I object to both.

Mr. HILL. You say you are in favor of everything in section 4?

Mr. STEWART of New York. I do not say anything of the kind. I object to their increasing their stock five times.

Mr. HILL. I understood you to say so.

Mr. STEWART of New York. No, sir; I did not say anything of the kind. I said I was in favor of section 1 of the bill, and said it was the good section of the bill, and that they hoped to carry through section 4, which is the bad section of the bill. It is an infamous section. Now, if I will not be interrupted for a few minutes, I will continue my argument.

Mr. WM. ALDEN SMITH. I should like to ask the gentleman from New York a question.

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Michigan?

Mr. STEWART of New York. I do.

Mr. WM. ALDEN SMITH. The chairman of the committee [Mr. BABCOCK] has suggested the price of gas in Amsterdam, N. Y., which, I believe, is your home city?

Mr. STEWART of New York. Yes.

Mr. WM. ALDEN SMITH. Who fixes the price of gas at Amsterdam?

Mr. STEWART of New York. The company.

Mr. WM. ALDEN SMITH. The company does?

Mr. STEWART of New York. Yes.

Mr. WM. ALDEN SMITH. But the ordinance under which you are operating there must fix a maximum price?

Mr. STEWART of New York. No; I think not.

Mr. WM. ALDEN SMITH. No maximum?

Mr. STEWART of New York. No maximum.

Mr. WM. ALDEN SMITH. Then you have the right to ask whatever the public will pay?

Mr. STEWART of New York. We have the right to ask whatever the public will pay in that city. The committee never had a hearing; they never considered this bill to exceed forty-five minutes. I think the House ought at least to listen to the arguments here, because the bill was never considered sufficiently in the committee, and let the House decide according to the merits of the bill. No one has ever given a reason why the Washington Gaslight Company should increase its capital stock from \$2,600,000 to \$13,000,000, and the Georgetown Company its stock from \$150,000 to \$750,000; the combined capital of \$2,750,000 increased to \$13,750,000. With this enormous amount of money involved, it seemed very strange that some one did not appear to represent the company before the committee.

Another thing that seemed to strike me very strangely is this: The District Commissioners reported favorably upon the bill, but I fail to see that they have touched upon this overcapitalization question at all. I have also read the city solicitor's report, which the majority of the committee have attached and incorporated in their report. He has gone into the merits of the bill with considerable detail, and, while he mentions sections 1, 2, 3, and 5, he skips section 4, which, to my mind, is the important section of

the bill, which increases the capital stock of this corporation and votes millions of dollars to its stockholders. So when I was asked to sign the report I said I had not the necessary information and could not sign it. I then began to look about for some information, so that I might sign the majority report, if possible, or, at least, the minority report intelligently.

I began to look up the history of the company and found the Washington Gaslight Company was organized in 1848 with a capital stock of \$50,000 and a rebate given the subscribers of \$7,500, which shows that there was only originally put into this company \$42,500. There is no record which shows that there was ever any more money put into this company. The capital stock was increased from time to time by the earnings of the company until it reached \$2,600,000. It has had a most marvelous record. For the first thirty-one and a half years they declared 16.8 per cent yearly dividends and also issued \$600,000 of certificates of indebtedness which were distributed to the stockholders, and this also represented earnings or dividends.

The company in 1866 had its books destroyed by a resolution of the board of directors by sending them to a paper mill in Philadelphia and ground into pulp, and the only reason they gave for this extraordinary procedure was that they had been improperly or carelessly kept and some of them were moldy. This was a very strange proceeding for any company to follow. I simply give this little bit of history to show the shrewdness, the cunning, and the character of the original directors of this company, and when the present direction asked Congress to allow them to increase the par value of their stock five times I was suspicious and concluded they were worthy followers of their predecessors.

They have for years been declaring 10 per cent dividends, besides extending their lines and improving their works to the extent of about \$15,000 a year. This marvelous record they wish now to round out by modestly asking Congress to allow them to increase their capital stock five times, which will enrich them millions of dollars.

While I was still looking for information, the Washington Gaslight people waited upon me by one of their managers or directors, and, after some considerable talk, he gave me a verbal statement of their physical properties, which is so necessary to establish the capitalization of a corporation. He stated they had over 30,000 consumers and over 50,000 meters, and his valuation of same was \$500,000. This is about \$125,000 high. They claim to have 500 miles of mains in the city of Washington. I learn they have only 327 miles. I found, by reading the Spooner report in 1896, out of 18 cities in the United States (including the city of Boston, where it costs over \$15,000 a mile to lay) the average cost of gas mains per mile is between \$3,000 and \$4,000. Allowing the Washington Gaslight Company the benefit of the largest average cost of \$4,000 a mile, and allowing they have 500 miles of mains, they would then have \$2,000,000 in gas mains; but if they only have 327 miles, and that is all they have, and the average cost is \$4,000 a mile, then they only have \$1,408,000 in mains.

He also claimed that they have gasometers and the plant and machinery for manufacturing gas and that these are worth \$2,000,000. He also claimed that they had some real estate in the city here and some money in bank, but he did not say how much. According to his estimate, all told, they have \$8,000,000 invested. According to the best figures which I have been able to make they have \$4,400,000. According to Edward Bemis, who is a very good writer on gas, the plants in all cities of over 200,000 inhabitants east of the Rocky Mountains can be duplicated for \$4 per thousand feet annual output, which, taking the two companies combined, the Washington company having an output of 1,300,000,000 feet and the Georgetown Gaslight Company having an output of 50,000,000 feet, that makes 1,350,000,000 feet, and the plant of these companies can be duplicated for \$5,400,000.

If the works are all in first-class order, then we have something like \$5,400,000 worth of property in order to establish their valuation, but it is questionable about the works being modern in every particular. I understand their water-gas plant is in first-class order and of the latest improvement, and I learn their coal-gas plant is somewhat antiquated and should have some money spent upon it, so that it is questionable whether they have \$5,400,000 on which to establish their valuation. If they have only \$5,400,000 worth of physical properties, what are they going to do with the difference between that and the \$13,750,000? According to the bill, this will be distributed to the stockholders.

What is this \$8,350,000? The advocates of this bill will tell you it is franchise; that the Government gave them this franchise and that they have the right to sell it. I hold it is nothing but water, and they have not the right to sell it. The Government never gave them an unlimited, irrevocable franchise. You will find on the bottom of the law which was enacted for them in 1848, and under which they are working, that there is this clause: "That

Congress reserves the power to alter, amend, or repeal this act." Thus you will see that at that time Congress had in mind the importance of holding a check on the price of gas. This franchise differs from the ordinary franchise granted by the States in the fact that it contains this clause: "That Congress reserves the power to alter, amend, or repeal this act."

The reason the Washington Gaslight Company are so anxious to capitalize at this great amount of money is in order to make a stock-jobbing concern of it; in order that they may sell this \$8,350,000 worth of water to the "dear people." They want to get all the lambs in. Then they will shear them of their fleece; they will stop paying dividends after a few years and the stock will go down. Then these shrewd financiers will buy in the stock at a low price. It is not good policy for Congress to allow these people to capitalize a franchise. It has never been the policy of Congress to do so. All the past Congresses have followed the policy of being very liberal with this company by permitting them to get a good price for gas, for the reason they preferred to allow the company to make a good dividend to its stockholders and also to improve its works and make its extensions out of the earnings, in order that they should not bond the company and thereby lessen its efficiency as a public servant.

There is another class of men who say we do not care what the physical properties of a company are, but what is it worth? What is the stock selling for in the market? A thing is worth what it will bring. Very well, we will take it on that basis. I have a calculation here which shows the average asking price for five years on the Washington Stock Exchange which the Washington Gaslight Company have held their stock at, which is \$53.63 a share. Now, on 130,000 shares at \$53.63 they would have a capital of \$6,972,030. The average price for the Georgetown Gaslight Company for the last five years has been \$55 per share, and they have 6,000 shares, which amounts to \$330,000. The combined capital of the two on this plan would be \$7,302,030. But some of the advocates of the bill will say you ought to capitalize it on its present value, and it is quoted to-day at \$81 a share.

This, I say, is wrong, and ought not to be done, for the reason that this stock has advanced very rapidly since the proposed legislation was introduced two years ago. It was selling in the market during the year 1900 at about from \$52 to \$53 a share. In December, when there was a bill introduced into the House to allow them to increase their capital stock, immediately this stock advanced to \$62, and in January, 1901, when the bill was introduced, January 8, the stock advanced to \$65; but this bill was recommended to the committee, and the stock went down to \$58 or \$60 almost immediately. In December, 1901, at which time Congress convened again, the stock jumped up to \$67 a share, and in January, 1902, it advanced to \$71.25, and in February, when it looked as if the bill would be favorably reported, it advanced to \$84, and in April, when the majority of the committee signed this report, it touched \$87.25 a share.

So you will see this proposed legislation will allow these stock gamblers to manipulate this stock at any figure from \$50 to \$87.25 a share, and it would be unfair to allow them to capitalize on to-day's market or on the market at which the bill allows them to capitalize—page 5, line 4—"if the average market price thereof, during the period of three months next preceding the special meeting prescribed by this section." You can see that if they have three months in which to manipulate this stock they can run it up to any price they see fit. So the only eminently fair way to capitalize it on the market price is to take the normal market price for the last five years, which is \$53.63 a share. This plan will only allow them a capitalization of \$7,302,030.

Let us look at it from another standpoint, the standpoint of the investor or a speculator, who says he does not care what the physical properties are, but how much interest will it pay? The Washington Gaslight Company to-day pays 10 per cent on its \$2,600,000, and it also increases its plant by the extension of mains to the tune of about \$100,000 a year. But how much will it pay on a capitalization of \$13,750,000? The only way to arrive at that is to know what it costs to make gas.

I have made some investigation, and whereas it may not be within a few cents of its cost it is very nearly correct. One of the directors claimed to me it cost them 60 cents a thousand cubic feet to make it. I also asked a New York gas expert what it would cost to make gas in Washington, and he said he thought 60 cents for the quality of gas made in Washington was a fair price. This will leave the company a net profit of 40 cents a thousand cubic feet. The Washington Gaslight Company sells 1,300,000,000 cubic feet of gas a year and the Georgetown company 50,000,000, making a total amount of 1,350,000,000.

At 40 cents a thousand feet this would give them a net profit of \$540,000. What percentage is \$540,000 on \$13,750,000? It is just 3.92 per cent. This is enough interest in a perfectly safe security

like Government bonds, or in a municipal bond or bond and mortgage, but it is not enough interest in a hazardous business like the manufacture of gas, when the plant deteriorates or the franchise is subject to legislation. Now, if they declare only 3.92 per cent and have nothing left to replace their plant, you can see that when the plant has to be replaced the stockholders will have to be assessed or the company will have to be bonded or the dividends stopped, so that 3.92 per cent is not a fair return on the investors' money of \$13,750,000, and no provision made for maintaining the efficiency of the plant.

You can look at it from any standpoint, and this House ought not to allow them to capitalize either on their physical properties, of which they have only about \$5,400,000, or upon the market value of the stock at which it has been selling at an average price during the past five years, and they will only have on this plan a capital of \$7,302,000, or the amount which one of their directors told me they had invested—\$8,000,000—or on a dividend-paying basis of only 3.92, and nothing laid up to keep the plant in repair. This House should allow them to capitalize for \$13,750,000.

Then what is the real object of the bill? It is for the Washington Gaslight Company to water its stock between eight and nine millions of dollars; and, what is worse, it will preclude any reduction in the price of gas in this city or the District of Columbia for a generation or more. No matter what evolutions may occur in the making of gas, no matter what science may discover, no matter what other cities may be paying for gas, the people of Washington will continue to pay a high price for gas in order to pay the interest on an overcapitalized company. The people will appeal to Congress for help, but the pleadings will fall on deaf ears, for the stockholders of the Washington Gaslight Company will also appeal to Congress and show that they are only getting a small interest on their capital in a hazardous business, and urge it would be equal to confiscation of their property and unjust to them to reduce the price of gas and thereby reduce their income. They will urge that Congress on the 12th day of May, 1902, investigated the standing of this company and found it to be worth \$13,750,000 and authorized the increase of stock to that amount, and they bought their stock on that information in good faith.

Is anyone simple enough to believe that the price of gas will ever be lower than it is to-day in the city of Washington if this bill passes Congress?

The Washington Gaslight Company claims to have the right to increase its stock without coming to Congress. If they have authority under existing law to increase their capital stock, as provided by section 4 of the bill reported by the majority of the committee, we have no contentions to their increasing their capital under that law. In fact, we are not concerned in that. But they have come to Congress to have us authorize this increase. If this company was located in any other city of the United States and was a private corporation and they felt like overcapitalizing their company, we should have nothing to say about it. But this is a different case. We are the representatives of the people of the District of Columbia. They have no other representatives, and it is our duty to look after their interests.

The Government is a large consumer of gas, having in past years consumed one-fourth of all the gas made by the Washington Gaslight Company, and last year they consumed one-sixth of all the gas made by this company. It is our plain duty, then, to prevent a heavy burden being placed on this District and upon the Government for years to come. We are in the Federal Congress of the United States. The Washington Gaslight Company asks us to set our stamp of approval upon trusts, upon overcapitalizing this corporation, in a time when the people throughout the country are condemning just such things. Business men and bankers are watching this overcapitalization of corporations closely, and many men predict that the next panic will be brought about through this very source. It seems to me this company has marvelous impudence to ask Congress to set its stamp of approval upon the overcapitalization of this corporation. As an individual and as a member of this House, I wish to say I disapprove of overcapitalizing corporations or throwing watered stock on the market to be sold to innocent parties, and to have such action come from the Federal Congress of the United States seems the most vicious kind of legislation. I hope, Mr. Chairman, this bill will not pass.

I hope this bill will not be amended in any way. If the Washington Gaslight Company wishes to increase their capital stock let them come before Congress in a business way; let them bring us an inventory of all their physical properties and show to us what they are worth after fifty-four years of doing business and what the good will of this company is worth, and I have no doubt, if they can make a showing which will entitle them to more capitalization than they now have, Congress will be glad to grant them their request.

I understand, Mr. Chairman, there is to be an amendment introduced here by a distinguished member of this House, authorizing the supreme court of the District of Columbia to select three disinterested men whose duty it shall be to take evidence and establish the price at which they will allow the Washington Gaslight Company to capitalize. Mr. Chairman, this is worse than the bill itself. I am opposed to delegating the powers of Congress to any three men in the United States. For when millions of dollars go to work, they work mighty hard and fast; when millions of dollars are at stake, the consciences of men are sometimes elastic; when millions of dollars are involved, the judgment of men is sometimes warped. I hope, Mr. Chairman, this amendment will not pass, and for the honor of this House this bill will be defeated. [Applause.]

Mr. JENKINS. I would like to ask the gentleman from New York a question. When he spoke about the powerful influence of money, was he speaking from his own experience?

Mr. STEWART of New York. I do not wish to cast any reflection upon any member of the House.

Mr. Speaker, I reserve the balance of my time.

Mr. COWHERD obtained the floor.

Mr. PAYNE. I should like to ask the gentleman from New York a question? Does the Government pay a dollar a thousand for the gas that is furnished to it, amounting, perhaps, to one-fourth of the whole consumption.

Mr. STEWART of New York. I can not tell.

Mr. SIMS. It does.

Mr. PAYNE. Then the Government pays the same price as individuals. Now, if the price of gas were put down to 80 cents a thousand, according to the gentleman's figures—and I think the cost of gas here is estimated exceedingly high; 50 cents per thousand would, perhaps, be a reasonable estimate, as I understand that coal can be obtained here at \$3.50 a ton—assuming the cost of the gas at 60 cents a thousand, it could be sold at 80 cents a thousand, leaving 20 cents a thousand profit, which would be about \$270,000, according to the gentleman's figures—

Mr. STEWART of New York. Yes, sir.

Mr. PAYNE. Which would be \$10,000 more than the 10 per cent dividends that the company is now paying on its capital stock. Would the gentleman favor having the bill amended so as to cut down the price of gas to 80 cents a thousand?

Mr. STEWART of New York. Well, I am not here to fight the gas company as to the prices they get. As a member of the committee, I felt it my duty to prevent their putting this bill through, because I think it is a bad bill.

Mr. PAYNE. Do you not think the proposition I have stated would be a reasonable business proposition?

Mr. STEWART of New York. I think the time will come when the price of gas will be much less than it is to-day. In view of the inventions of science, the evolutions of manufacture, the great gas and oil wells in Texas, etc., I believe the time is not far distant when gas will be worth less money than at present. When that time comes, I am willing to see the price reduced.

Mr. PAYNE. The price of manufacturing gas has been reduced lately by saving the by-products.

Mr. STEWART of New York. Oh, yes.

Mr. PAYNE. Most of the by-products now are made to pay an income to the company.

Mr. GROSVENOR. That is not a new fact; that is old.

Mr. PAYNE. What does the gentleman from Ohio state?

Mr. GROSVENOR. I say that the sale of the by-products is not new. It has been going on for twenty-five years. For instance, twenty-five years ago these companies sold the coal tar.

Mr. PAYNE. Coal tar brought nothing in the market in former years, because there was no use for it. Very often it was taken out and burned, so as to get rid of it. It is only within a few years that this by-product has begun to assume any large value, so that its sale enabled the company to save money. The use of ammonia, another by-product, on a large scale has grown up in the last five or ten years, so that the gentleman's period of "twenty-five years" dwindles down somewhat.

Mr. HILL. May I ask what is the price of gas in New York City?

Mr. PAYNE. I do not know.

Mr. STEWART of New York. One dollar a thousand, I understand.

Mr. COWHERD. I can give the figures. The price of gas in the city of New York is a little over 90 cents a thousand—90½ cents.

Mr. HILL. Ought not the price to be a good deal more in the city of Washington, considering the larger cost of the material?

Mr. COWHERD. Oh, no.

Mr. HILL. Why not?

Mr. COWHERD. In New York there are three or four companies furnishing gas—

Mr. HILL. That is all the more reason why the cost should be higher here.

Mr. GROSVENOR. As throwing some light on this controversy, I would like to be allowed—

Mr. COWHERD. Was I not recognized?

Mr. GROSVENOR. Will not the gentleman from Missouri allow me to read a short table, which I think may afford a basis upon which this argument can proceed? The reading will take only a minute or two.

Mr. COWHERD. Of course I yield to the gentleman.

Mr. GROSVENOR. I have here a statement, said to be truly furnished from the figures of the census report up to date, which shows the population of different cities, the capitalization of the gas companies, their output, the net price of gas, and the candlepower of the gas.

Let me read:

	Popula- tion.	Capitali- zation.	Output, cu- bic feet.	Net price.	Candle- power.
San Francisco, Cal....	342,000	\$13,623,000	900,000,000	\$1.40	23

Mr. PAYNE (interrupting). Does that statement give the price of coal in the various cities?

Mr. GROSVENOR. The price of coal in Washington is far higher than in most of the cities I will name.

Mr. PAYNE. How is it in San Francisco?

Mr. GROSVENOR. In San Francisco, I presume, they do not make their gas out of coal, though I do not know. This statement continues:

Wilmington, Del.....	76,000	600,000	230,000,000	1.00	20
Georgetown, D. C.....	15,000	150,000	50,000,000	1.25	25
Atlanta, Ga.....	100,000	2,764,000	300,000,000	1.00	21
Chicago, Ill.....	2,000,000	64,496,000	7,400,000,000	1.00	25

Mr. MANN. But let me say to the gentleman that in Chicago the gas companies furnish, in addition, all the street lighting to the city free.

Mr. GROSVENOR. That may be.

Mr. COWHERD. And about forty million of that sixty-four million is water.

Mr. GROSVENOR. I will continue:

St. Louis, Mo.....	575,000	\$21,000,000	1,200,000,000	\$1.00	22
Indianapolis, Ind.....	200,000	2,750,000	290,000,000	1.00	18
Louisville, Ky.....	205,000	4,100,000	320,000,000	1.20	18
Baltimore, Md.....	509,000	17,850,000	1,673,000,000	1.10	24
Kansas City, Mo.....	180,000	8,800,000	800,000,000	1.00	24
Boston, Mass.....	34,000,000	3,600,000,000	*1.00	18
Jersey City, N. J.....	365,000	21,000,000	975,000,000	1.10	25
Buffalo, N. Y.....	353,000	14,900,000	578,000,000	1.00	19

*Average.

Mr. RAY of New York. Will the gentleman permit a question?

Mr. GROSVENOR. Just one word more. Cincinnati has gas at 15 candlepower.

Now, I want simply to make a statement that the difference between the cost of gas at 18 candlepower and 25 is marked in the expenditure of this company last year when they paid \$275,000 for the single item of naphtha as an ingredient to make up the difference between 15 and 25.

Mr. RAY of New York. Will the gentleman kindly state where he obtained those figures?

Mr. GROSVENOR. I did state that. Does the gentleman dispute any of them?

Mr. RAY of New York. I did not understand.

Mr. GROSVENOR. Does the gentleman dispute any of them?

Mr. RAY of New York. That is not answering my question.

Mr. GROSVENOR. I asked the gentleman a question. I stated I got them from the census report—the last census report. Does the gentleman dispute any of them? Does the gentleman deny them?

Mr. RAY of New York. My question was as to the source from which those figures came. I was seeking information.

Mr. GROSVENOR. I stated that is the best source I could get them from.

Mr. RAY of New York. I did not rise to dispute or enter into any argument, but wanted merely to get the source of the figures.

Mr. COWHERD. Mr. Chairman, before I have concluded my remarks I want to give what seems to me would be a fair price of gas in the District of Columbia, and I hope to devote some attention to the figures that have just been read by the gentleman from Ohio [Mr. GROSVENOR], but at the outset I want to call the attention of this committee to the bill that is now before it. It is called a bill to consolidate or authorize the Washington Gaslight Company to purchase the Georgetown Gaslight Company, and there is added after it four significant words, "and for other purposes." I want to call the attention of the committee to the "other" purposes.

Let me say here that there is no man on the committee, and so far as I know no man in the House, that objects to the purchase of the Georgetown Gaslight Company by the Washington Gaslight Company, and yet man after man has come to me and said, "Why do you object to this consolidation? It would be better for the people; they would get the gas for a dollar in Georgetown." Let it be distinctly understood that we are in favor of the consolidation, but there is one feature of the consolidation that I would like to call the attention of the House to. We are told that the Washington Gaslight Company, or the stockholders of it, own the stock of the Georgetown Gaslight Company.

Now, this bill provides that in the purchase the Washington company may issue enough stock to buy the stock of the Georgetown company, and at what price? At whatever the Washington Gaslight Company chooses to fix for the stock they are going to buy from themselves. In other words, if you should strike out section 4 that waters the stock about \$10,000,000, they would still have the opportunity to come in under section 1 and by buying the property that is worth probably \$250,000 from themselves at a cost of \$10,000,000, still water the stock to the same amount.

For that reason I think my friend from New York [Mr. STEWART] was misunderstood when the gentleman from Connecticut [Mr. HILL] insisted that he had agreed entirely to section 1. As I understood him, he agreed to the consolidation; but he does not favor any watering of stock, whether it is in that section or in any other. Now, let me call your attention to section 4 of this bill.

Section 4 of the bill provides for the reissuing of the stock of the Washington Gaslight Company, and it provides that it is to be increased to the market value of the stock. How is that to be determined? By the average market price thereof during a period of three months. What three months? The last three months of this year, or last year, or any other time that is passed? Oh, no. During a period of three months next preceding the special election they are going to call of the stockholders to authorize the issue.

What will be the market value of that stock as fixed on the market as the bill provides? Why, there is none of that stock on the market, except what they choose to throw upon it, and that is very little. It is an air-tight corporation. What will be the value of it when you have said in this bill that they may issue a \$100 share for a \$20 share? Does anybody think it will be less than a hundred dollars?

Gentlemen, I want to say to you from the first day of the history of this company down to this hour there never was a Congressional investigation of this company that did not find them with \$250,000 up to \$700,000 of surplus, undivided dividends that they had been unable to dispose of. How much they have got to-day no man knows, because not one single, solitary witness appeared before the District of Columbia Committee in the two years this bill has been pending there in one form or another, neither in the last session nor in this, and I say that under this bill, if it becomes a law, the stock of this company will not go to 100, but more probably to 120 or 125.

Now, just a word as to the general proposition. Gentlemen come to me from all sides and say, "Well, if the stock is worth \$100, why not permit them to issue \$100 worth of stock? How is it different from any other business?" It is different in this way, that this company can only do business because you give it the right to use the property of the people on which to transact its business. This company is a monopoly, and ought to be a monopoly. I do not want any competing companies. This company is a monopoly, and the price at which it sells its product is fixed by law.

Now, when you go to capitalizing its earning capacity, it means nothing else than that you capitalize the price that you fix. What is your duty in regard to that? Every man knows it. You ought to permit this company to earn a fair profit upon the money invested, and in addition you ought to permit this company to earn an amount sufficient to take care of all depreciation of property, to earn enough to pay all expenses, and when it earns any more you have done something that is wrong—that ought not to be permitted. When you say you are going to let them issue \$14,000,000 of stock because they can earn a profit on \$14,000,000 as at present constituted, it simply means you are going to capitalize the price of gas at \$1 forever, and fix it forever upon the backs of the people of the District of Columbia to pay interest and dividends on that amount.

Now, I suggested to a gentleman a while ago that if we had a factory here making hats in the District of Columbia it was none of our business at what price they sold their hats and it was none of our business at how much they capitalize; but if we had the power and should pass a law that said every man and boy in the District of Columbia that wears hats must buy them from that company, it would then become our duty to see that that company sold its hats only at a fair profit.

It would likewise become our duty to see that they did not issue so much capital stock that they could not do it. What is the purpose of this section 4? Why, the majority of the committee have come here and said that these gentlemen could increase the capital stock if they wanted to without further action of this House. Does any man in this House believe it?

Does any man with the experience you have had in legislative bodies believe that this gas company would seek the light of publicity, would seek to have its affairs dragged through a Congressional debate if it was not absolutely necessary for it to do so in order to get that opportunity? There would not have been any debate on a simple bill to consolidate, because there never would have been any objection. This bill is introduced for one purpose, and that is to water the stock of this consolidated company from about \$4,000,000 actual value of plant to \$13,750,000, and that is the main purpose of it.

The gentleman from New York [Mr. STEWART] has given his idea as to what the value of the plant is. I want to show you what the value of the plant is on the sworn testimony of the officers of this company taken at various times. In 1881 (see Miscellaneous Document No. 15, Forty-sixth Congress, third session) they made a report to Congress which is signed by the secretary of the company and which gives the actual amount of money invested. It was \$1,800,000. In 1886 there was a Senatorial investigation by a committee of the Senate of which Senator SPOONER was chairman.

The president and secretary of the company appeared there and testified what the value of the plant was, what amount had been invested, in 1886, remember, and it was \$2,400,000. In 1887 they borrowed \$600,000, and they issued certificates of indebtedness for \$600,000 more, and they claimed to rebuild their plant and make extensions that would provide for all the business for years to come, and yet, in 1894 Thomas Langsdon, who had been until a few months before the engineer and superintendent of the company, testified that the company's plant could be duplicated with all its improvements for from \$2,800,000 to \$3,000,000.

Now, how much have they invested since 1894? In 1894, in an investigation both in the House and Senate, the testimony showed that, taking it back for years, the average cost of their extensions and improvements, notwithstanding that covered a period of duplication of plant, was \$100,000 a year, or, to be accurate, \$96,500. Now, if you will add \$100,000 for the eight years since the officers of the company swore what its value was, you will find that the total value of this plant, figuring it according to their own testimony, is less than \$4,000,000. Yet the District of Columbia Committee have brought in a bill under which they may increase their capital stock to the amount of \$13,750,000.

But the majority of the committee say that the company could issue this capital stock without authority from Congress. Then why do they come here? I do not believe it is true, but if it is true, it could be but for one reason, and that is that they might have the authority of Congress behind the issue, in order that when it had reached the hands of innocent purchasers and you attempted hereafter to lower the price of gas, they could come in and say, "By your own bill you said this property was worth \$14,000,000, and now you are going to take away from us the power to earn dividends on that amount." The reason they want this act—the reason they want this issue—is because this company is earning so much it can not hide its profits. It was organized in 1848, with a capital of \$42,500.

Mr. SIMS. Fifty thousand dollars.

Mr. COWHERD. And if any gentleman doubts the statements I make I have the proof before me. It was organized at \$50,000, of which \$42,500 was paid in and \$7,500 was distributed as a bonus to the subscribers. Between 1848 and 1866 Congress twice authorized an increase in the capital stock; once of \$300,000 and once of \$150,000, which would increase the capital stock to \$500,000.

Now, whether there was a single dollar in cash paid on those increases no man on earth knows, and I will tell you why we do not know: Because, in 1866 this company—the only occasion that I have ever heard of in the United States—by solemn order of its board of directors placed upon its minute books an order to have its books destroyed. They were sold to a paper mill and ground into pulp, so that no man knows how this increase was made, but the reasonable inference as to this increase of \$450,000 is that it came from surplus profits, else the books would not have been disposed of.

Now, then, in 1866 the capital stock was increased to a million dollars, and do you know how? By simply dividing out \$500,000 additional stock pro rata among the stockholders. But some gentlemen may say, "Oh, well; they simply had been investing their earnings instead of dividing them." Let us see whether they were or not. I have here a statement of the officers of this company, taken from their report to the Forty-sixth Congress, and I find that from 1848 to 1866 they paid for every year of that

time in cash dividends 7.6 per cent, and they distributed \$500,000 in stock dividends, and, as I have shown, the reasonable proof is that they distributed \$450,000 more.

The amount that was invested was \$42,500, and on that they paid 7.6 per cent the first four years, and then it was increased to \$350,000, on which 7.6 per cent was paid, and then increased to \$500,000, on which 7.6 per cent was paid, and in 1866 the capital was increased to \$1,000,000 by this distribution of \$500,000. In 1872 they came to Congress and got authority to increase their capital stock to \$2,000,000.

I want you to note this fact: In that authorization Congress placed this express provision, "That the increase must be paid in cash, and should not come from the surplus dividends and profits." What is the fact? In 1874 they declared a surplus dividend of 50 per cent. In 1876 they declared another surplus dividend of 50 per cent, and the officers of the company, the president of the company and the secretary of the company, admitted, in response to questions of the investigating committee of the Senate, that this surplus dividend was where the cash had come from to increase the stock a million dollars—50 per cent surplus in 1874, which amounted to \$500,000; in 1876, \$500,000 more—and this was divided pro rata among the stockholders of the company.

Does any gentleman want to call into question whether this was another instance of investing dividends instead of declaring them from year to year? If so, I will read to him the cash dividends of the company from 1867 to 1876, ten years. In 1867 it paid 10 per cent, in 1868 it paid 10 per cent, in 1869 it paid 20 per cent, in 1870 it paid 10 per cent, in 1871 it paid 15 per cent, in 1872 it paid 15 per cent, in 1873 it paid 20 per cent, in 1874 it paid 55 per cent, in 1875 it paid 20 per cent, and in 1876 it paid 65 per cent, being an average of 14 per cent besides the two surplus dividends of 50 per cent each.

In other words, during these ten years this company earned and paid an average cash dividend of 14 per cent on one million, and it divided one million among its stockholders in surplus dividends to pay for the million-dollar increase in its capital stock. Now, then, the stock is up to \$2,000,000; this was in 1876. In 1887, as I have said, they issued bonds to the extent of \$600,000, and what they called certificates of indebtedness to the same amount. These were certificates divided pro rata among the stockholders, which stated that they had spent \$600,000 of dividends belonging to the stockholders, and that the holder's pro rata of that would have been so much, and he was entitled to exchange this certificate for so much stock when Congress gave the authority to issue the stock for it.

The testimony of the assistant superintendent of the company and the secretary of the company is that this was a bonus; that no man ever paid one dollar for those certificates, and yet in 1896 they came to Congress and got authority to take up every dollar of those certificates and issue stock for it; and there is the history of the \$2,600,000 of capital stock, not a single dollar of which we know has come from the pocket of any stockholder since 1866, and, according to the best proof obtainable in the case, not a single dollar in cash was ever paid in since the first \$42,500 was subscribed.

Do you want to know what the dividends were during the time of this last growth of \$600,000? In 1877 the dividends were 15 per cent; in 1878, 15 per cent; in 1879, 15 per cent; in 1880, 15 per cent; in 1881, 10 per cent; in 1882, 10 per cent. Mark you, in 1881 they were having a Congressional investigation, and they found out that the company had a surplus and that they were getting ready to declare another big dividend. They raised the question in the House, and the company stated that that money was not intended for a surplus dividend, but they were going to spend it for improvements in plant, in competition with the Electric Light Company.

Notwithstanding this declaration, in 1883 they declared a dividend of 10 per cent and a surplus of 40 per cent—\$1,000,000 dividend on \$2,000,000 capital stock. And, mark you, gentlemen, let no man say that is not a fair statement of the capital stock, because less than two years before they declared this million dollars dividend their own officers had sworn that the total investment was \$1,800,000.

So you have a company in which its own officers testify there was never invested up to that time more than \$1,800,000, declaring dividends in one year of \$1,000,000. Oh, gentlemen, this has been a favored company.

In 1884 they declared a dividend of 10 per cent; in 1885 a dividend of 12½ per cent. In 1894—this is the first year that I have since 1884—they declared a dividend of 10 per cent and had a surplus of \$280,000. In 1896—and this is the last official report we have—in a report to the Hon. Mr. BABCOCK, chairman of this committee, they admitted paying \$600,000 or 80 per cent dividends on the capital stock of two million, and paying 6 per cent interest on these certificates of indebtedness that were outstand-

ing and really intended to be capital stock also. What they are paying now, who knows?

My friend from Wisconsin says 10 per cent. How did he find it out? Why did not that information leak into the possession of the committee? Why did not they come with some officer of the company and state it? Why did not they send an official report to Congress showing it? I believe if the truth were known, there are now in the coffers of that company hundreds of thousands of dollars in undivided dividends, and they only await a large increase of capital stock in order that it may be put out without attracting attention.

Now, then, gentlemen, I want to call your attention to the line of argument of the gentleman from Ohio and take up his suggestion as to what ought to be the price of gas in the District of Columbia. I want you to remember this: That there is probably no manufactured article where the cost of manufacture decreases so rapidly as the output increases as it does in the manufacture of gas. The three great items are interest on investment or plant; wages, which includes salaries, and the cost of material.

Now, the plant in Washington for an output of 500,000,000 cubic feet is practically the same as the plant necessary for an output of 1,000,000,000 cubic feet. I want first to take the Washington company as to wages and salaries. I think I can show you by the record of this company that when they increased the output from 700,000,000 to a 1,000,000,000 cubic feet, the expenses of manufacturing were increased practically nothing. They made a report to Congress in 1889, and they reported then that their total expense was \$958,407, and the output was 691,000,000 cubic feet, in round numbers. In 1893, four years after, the expenses had increased just \$12,390, and the output had increased over 200,000,000 cubic feet.

In other words, selling the gas at \$1 a thousand cubic feet, upon increased receipts of \$200,000 the expenses increased only \$12,000.

But later than that, taking the report made to the chairman of this committee in 1896, and comparing the two items, the item of wages and salaries and the item of cost of materials, with the corresponding items for 1889, we find the increased expense was then only \$22,712. Now the output of the plant is 1,300,000,000 feet, and taking the best evidence that I can get, the increased expense has been less than \$100,000, and the increased receipts more than \$400,000 since 1896.

Now, I want you to remember this reduction of cost on increase of output when we come to the question of fixing the price of gas, because that affects the question which the gentleman from Wisconsin [Mr. BABCOCK] asked the gentleman from New York, who lives in a town which, if I remember correctly his statement, has about 8,000 inhabitants, and where the output is about 25,000,000 cubic feet a year. Is that correct?

Mr. STEWART of New York. Thirty-four million.

Mr. COWHERD. What comparison can fairly be made between the price there, \$1.25, with such an output as that, with the price in this District, where the output is 1,300,000,000 cubic feet?

Mr. STEWART of New York. The population of the city to which I referred is 25,000.

Mr. COWHERD. Now, there is only one thing which this company is compelled to report, and that is the amount of coal consumed and what it costs. This return is made under an old law, which compels the company to file with the Secretary of the Interior their contracts made every year for coal. They make their contracts in the fall for the purchase of coal for the next year. I have here a copy of the contract made in 1895 and the contract made in 1900. The contract made in 1895 was for the year 1896; the contract made in 1900 was for the year 1901.

I find that in 1896 this company used 35,000 tons of coal, costing them \$130,250; and they report that they made only 900,000,000 cubic feet of gas in that year. In 1901 they used only 25,000 tons, costing \$87,400; and they admit making 1,300,000,000 cubic feet of gas. In other words, the increased output is 400,000,000 cubic feet or \$400,000, and the decrease in this item of coal, which is the second largest item of material, has been \$60,000; and they only pretend in a letter to Chairman BABCOCK, dated February 25, 1901, that the increased cost of naphtha was \$87,255. It is true they claimed an increase in cost of coal amounting to about \$25,000, but in the face of their official report to the Secretary of the Interior I must be permitted to doubt this item.

Now, I want you to remember this on the question of what the price of gas ought to be; for I want to say here, if this bill is to pass in any form this House ought to attach to it a provision, and ought to see to it that the provision is retained when the bill comes back from conference, fixing the price of gas in the District of Columbia at 75 cents a thousand cubic feet.

Mr. BRUNDIDGE. Will the gentleman allow me a question for information? My information from reputable citizens, consumers of gas in this city, is that since the reduction of the price

of gas from \$1.25 per thousand to \$1 a thousand these consumers, without any increased use of gas, find that there has been no decrease in their gas bills as presented from month to month. I should like to know whether there has been any testimony on that subject before the committee or any complaints made to the committee along that line.

Mr. COWHERD. Well, I have had a letter or two stating something of that kind. That is the only complaint that I know anything about. There was no testimony before the committee on this matter either last year or this year. There was never a witness brought before the committee on behalf of this company or against it. If we had ever had the opportunity to cross-examine a solitary witness representing this company on this bill, I do not believe that any committee in this House would have had the hardihood to report the bill. So far as those complaints are concerned, I know nothing of them personally. People always complain a good deal about the amount of their gas bills. I have never paid any particular attention to those complaints.

What ought the price of gas to be? I have some figures to which I wished to call the attention of the gentleman from Ohio, whom, however, I do not see in his seat; and I will therefore call the attention of the House to some figures from the last census, from which the gentleman from Ohio has seen fit to quote.

I find that in 1890 the average cost of gas in the United States, taking the whole country through, big plants and little plants, plants yielding a billion cubic feet output and plants yielding only a few million feet output, plants where coal was cheap, as in Washington, and plants where it costs \$7 or \$8 a ton, as on the Pacific coast, in 1890, taking the various plants in the United States, the average price of gas was \$1.42, while in 1900, according to the census report, the average cost of gas over the whole United States was only \$1.03.

Mr. WM. ALDEN SMITH. Will the gentleman allow me a moment on that point? The gentleman from Ohio [Mr. GROSVENOR] read some figures showing the capitalization of certain gas companies in a number of large cities, among them, I believe, a company in Kansas City. Now, it would seem as though that capitalization was very large.

Mr. COWHERD. It is too large.

Mr. WM. ALDEN SMITH. I would like to know whether the gentleman from Missouri can tell us the reason for that capitalization and whether the consumers of gas are burdened thereby.

Mr. COWHERD. Undoubtedly it is too large. If the House cares to know, I can inform them of it.

Mr. SIMS. Mr. Chairman, I would be very glad to have the gentleman give that information.

Mr. COWHERD. Well, there was an old gas company in Kansas City selling gas at \$1.75 per thousand. This was back in 1892. They refused to reduce the price lower than \$1.50 to the people, and so a charter was granted in 1894 to a new company to sell gas at \$1 a thousand.

The new company came in and built a plant and did as all companies do in organization; it issued so many bonds, which, if I remember rightly, were sold below par; so much stock went with the bonds and so much went to the promoter, and they finally built a new plant, and then the old company put the price of gas down to 50 cents a thousand, and when they put it down to 50 cents a thousand they gave away a gas stove in addition to every consumer, so that everybody got a gas stove, the result of which was that the consumption of gas jumped up from less than 250,000,000 cubic feet to 800,000,000 cubic feet in two or three years.

Finally, then, the old company bought out the new company, having obtained an extension of its charter, and in its consolidation it had to issue additional stock, not only to take care of all the stock and bonds of the new company, including its water, but all of its own and some for the promoters of the consolidation.

Mr. JENKINS. Then, do I understand the gentleman to say that all of the gas companies in Kansas City are composed of corrupt gentlemen?

Mr. COWHERD. Oh, I have stated a fact. If the gentleman from Wisconsin wants to draw a conclusion, he can do so. Does the gentleman from Wisconsin mean to say that any man who favors this bill is corrupt because he knows this bill waters the stock here?—and he will not deny that.

Mr. JENKINS. I do deny it and I am going to deny it.

Mr. COWHERD. Does the gentleman deny that under the provision that permits them to increase the capital stock from \$30 to \$100, if they can make the market value of it that much, that will represent only the actual investment in the plant?

Mr. JENKINS. Yes; and I propose to demonstrate before I get through that you are most miserably mistaken.

Mr. COWHERD. I hope the gentleman will undertake that, because I venture to say the demonstration is absolutely impossible, even by so excellent and distinguished and able a gentleman as the gentleman from Wisconsin.

Mr. JENKINS. What I wanted to know was whether your gas company men were corrupt men.

Mr. COWHERD. I have stated the facts. The gentleman can draw his own conclusion. I do not say a man is corrupt—

Mr. JENKINS. Oh, I do not want to draw any conclusions as to gentlemen in Kansas City.

Mr. COWHERD. I do not say a man is corrupt if the council gives him the right upon a plant that is worth \$100,000 to issue stock to a million dollars and to charge a sum that will pay dividends on it, and he goes to work and issues it and sells the stock on the market—I do not say that man is corrupt—but I do say that the common council which gave him that authority is corrupt. [Loud applause.]

Mr. JENKINS. Then the common council of the city of Kansas City have been composed of corrupt men, have they?

Mr. COWHERD. Oh, sometimes there have been gentlemen who probably did not reach the standard which Caesar insisted his wife should maintain. [Prolonged laughter.] That I have heard, and I have heard it of many common councils, but there was no corruption in the granting of the franchises I have referred to. They were in a position where the old company had a franchise they could not control, and so they granted one to a new company, and that company watered its stock, and the council had no power to fix or limit the capital stock of the company.

Mr. JENKINS. I want to know whether in order to defeat this bill it is necessary to smirch every man doing business in Kansas City.

Mr. COWHERD. Oh, no; it is not necessary to smirch any man doing business there, and I want to say to the gentleman from Wisconsin that I am perfectly willing to have my statement in regard to these gas companies circulated with everybody there, because I had something to do with fighting that deal when they tried to get a franchise through at \$1.50 in that city, and I am willing they should know there I am fighting this bill.

Now, I was trying to show what ought to be the fair price for gas. I started to refer to some of the census statistics. I have shown that in ten years the average cost has been reduced 38½ cents all over the United States. I want to say in regard to that that the average cost of gas in the State of New York is only 95½ cents, and that covers big plants and little ones. Throughout the entire North Atlantic division, covering States like Maine and New Hampshire and Vermont, where there is hardly a single large gas plant in existence, the average price of gas is only 98½ cents.

Mr. CRUMPACKER. Does the gentleman refer to the cost of manufacture or to the cost to the consumer?

Mr. COWHERD. I refer to the reported price by the company at which it is sold to the consumer. In the entire State of Pennsylvania the cost to the consumer is 83.2 cents. In the city of Chicago it is 87 cents. In the city of Cleveland it is 75 cents, and that company has never yet failed to issue a 6 per cent dividend, and there is said to be a considerable amount of water in its stock. In the city of Cincinnati—and I notice my friend from Cincinnati was applauding the statements of the gentleman from Wisconsin [Mr. JENKINS]—where the cost of coal may be a little bit cheaper, but where oil would be no cheaper than it is here, the price of illuminating gas is only 85 cents, and they sell fuel gas at 50 cents besides.

In the city of Milwaukee—and let me call attention to the fact that the output of the plant at Cleveland is about the same as this—they sell gas as low as 80 cents, and no illuminating gas is sold higher than a dollar, and they sell a fuel gas for 60 cents. In the city of Hamilton, to which I called the attention of the gentleman from Ohio [Mr. GROSVENOR], because it was in his own State, with a little plant that has an output of only 60,000,000, they sell 25-candlepower illuminating gas at 80 cents a thousand. Now, what ought to be the price of gas here? I venture to say there is no man in the United States, except some gas expert, that knows what it costs to produce gas to-day.

The fact is, that has been concealed as carefully or more carefully than any other business secret in the whole business history of the United States. But in 1899 an examination was made by the Bureau of Labor here in the city of Washington, and they got reports from all over the United States, and they attempted to find out in some way what was the fair price for gas. Now, I am not sufficient of an expert to figure out these tables, but I have here a portion of them that has been figured out by the Commissioner himself, and this is his report. He reports that there is one company operating 12 plants in 12 cities of the United States, or, rather, there are 12 companies who operate the plants under one management.

He reports that the total value of their property is \$10,000,000. The total output is 3,176,000,000 cubic feet. Now, mind you, that is a little over 250,000,000 cubic feet to each one of the 12 plants, so that they can not afford to make gas anything like as cheaply

as they do here, where the output is 1,300,000,000. Do you know what it costs these companies to furnish gas to the consumer? Not to put it in the holder, but to furnish it to the consumer. Here is the report of the Bureau of Labor:

From these statements it is seen that the average cost of production—

And, mind you, this includes wages and salaries and distribution and all kinds of expenses—
excluding depreciation, taxes, and interest on the investment, is 23 cents per thousand cubic feet.

But including taxes, including depreciation, including interest on the investment at $3\frac{1}{2}$ per cent, including all expenses, the cost is 42 cents per thousand feet.

Mr. DALZELL. Where is that?

Mr. COWHERD. That is in 12 cities of the United States. The average cost in these 12 cities, where the output of the entire 12 is only 3,176,000,000 cubic feet, is 42 cents per thousand.

Mr. WM. ALDEN SMITH. What is the corporate name of that company?

Mr. COWHERD. One moment. If $3\frac{1}{2}$ per cent is too small for interest on the investment, make that interest 6 per cent, and you have the cost of gas only 50 cents a thousand feet.

Mr. WM. ALDEN SMITH. What is the company called?

Mr. COWHERD. I will say to the gentleman that the Bureau of Labor does not give the names of any of the companies. It designates them by number. It says it is a trade secret and it would not be fair to give their reports to the public, so we can not get what the name of the company is; but this statement is found on page 386 of the report of 1899 of the Bureau of Labor.

Now, I give these facts to the House in order to show first that this company has been the most favored corporation that ever existed in the District of Columbia, as far as my knowledge goes; that this company, paying dividends that can not be equaled in any other business investment, has grown from \$42,500 to \$2,600,000 in capital stock without a single additional dollar of cost to its stockholders; that this company to-day in all probability is making about 50 per cent net profit on every thousand cubic feet of gas that it sells, and it is selling 1,300,000,000 cubic feet per year. I give these facts to this committee first in the hope that this committee will absolutely defeat this bill, and I want to say why.

I fear if this bill should pass in any form that in the further stages of legislation it will be put in such shape that it will be entirely satisfactory to the company, and when it has passed through the hands of a conference committee it can be rushed through and we can not have an opportunity to protest, and it can be taken up at a time probably when only friends of the bill are present. Therefore I hope the bill will be absolutely beaten. But if you will pass it, there are two things you ought to do.

You ought to limit the capitalization of the company to the actual value of the plant, and I do not want that value found by any three disinterested men, whether they are selected by the court or selected by the company or selected by arbitrators. If you are going to find the actual value of the plant, find it by the court itself, by the men who are clothed with authority, men who are in office and responsible for their official deeds. That is the first thing you ought to do. The next thing you ought to do is to put on here an amendment reducing the price of gas in the District of Columbia to 75 cents a thousand feet, and then the company would earn a fair profit.

Mr. PAYNE. I want to suggest to the gentleman right there, suppose you had a hearing before the court, would it not necessarily be an ex parte hearing on which the evidence would be adduced by the gaslight company with no one to represent the other side?

Mr. COWHERD. Yes; and I do not believe we ought to pass a bill that would let the court fix it. I think we ought to have a hearing before our own committees and that we ought to fix the value ourselves.

Mr. RAY of New York. I was going to ask the gentleman what is the objection to letting the Committee on the District of Columbia make the inquiry for itself, call the witnesses before it, and get at all the facts?

Mr. COWHERD. I think that is what ought to be done. We ought to have a hearing. We ought to get at the facts. We ought to report to this House, and this House ought to fix the amount of the capitalization. Now, Mr. Chairman, I have occupied more time than I intended, and I will reserve the balance of my time.

Mr. RAY of New York. There is one other question, before you take your seat. If this company is making the enormous profits which are alleged, and I have no doubt they are, why is it that some other company does not start in and compete?

Mr. COWHERD. Of course other companies have come in asking for franchises, and they have been refused.

Mr. RAY of New York. Is not the fact that the want of com-

petition in this gas business here is because Congress has refused to charter any other company?

Mr. COWHERD. Yes, it is; and I want to say—

Mr. RAY of New York. Therefore Congress has actually made a monopoly of this company?

Mr. COWHERD. Yes.

Mr. RAY of New York. And now if we pass this bill, we allow them to water their stock five times, and in effect we will fix in perpetuity the price of gas at a dollar a thousand feet.

Mr. COWHERD. I think that is the purpose of this bill. That is my candid opinion.

Mr. RAY of New York. In other words, create a trust by our own action, in perpetuity.

Mr. COWHERD. That is my opinion. And let me say to the gentleman, as far as the monopoly is concerned, my own opinion is that there should be but one gas company in a city. To have two gas companies means the digging up of your streets twice. It means a doubling of the investments and in the end always has resulted in the United States in a consolidation of the companies and the necessity of the people paying dividends on this double investment.

Mr. JENKINS. Now, the gentleman from Missouri has already answered one question that I wished to ask, but I will ask him this: When was it that Congress ever refused to grant corporate rights to another company in the District?

Mr. COWHERD. I thank the gentleman for the statement, and that reminds me of the fact—

Mr. JENKINS. When was it that Congress ever refused corporate rights to another company to enter the District?

Mr. COWHERD. I do not know.

Mr. JENKINS. But the gentleman from Missouri, in answer to a question of the gentleman from New York, said that Congress had refused.

Mr. COWHERD. Well, let me finish my answer to the gentleman from Wisconsin and I will tell him.

Mr. JENKINS. Certainly.

Mr. COWHERD. Very well. I will do so. I do not know what year, but I refer to reports of committees of the Senate, presided over by Mr. SPOONER and Mr. HUNTON, and in that report and the evidence there taken it shows that Congress has always given this company a monopoly and has always refused to grant a franchise to any other company. I suppose that the Senate knew what it was talking about. I know that there is a bill now pending before our committee—

Mr. JENKINS. There has been no application within the last ten years, as the gentleman knows.

Mr. COWHERD. I do not know about that. There has been no application since I have been a member of the committee, as far as I know, except the one now pending. But here is the report of the Senate, in which it says that Congress has always given this company a monopoly. That was in 1894.

Mr. JENKINS. I understood the gentleman from Missouri to state that Congress had refused to give a franchise to another company, and I would like him to state when that was.

Mr. COWHERD. I made that statement upon the official reports and hearing before a committee of the Senate of the United States, and I think it is true.

Now, that brings us up to another question, and I ask the attention of the House while I call their attention to what seems to me to be a piece of nerve on the part of this company that has never been equaled. In 1894 this House passed a bill reducing the price of gas to \$1 a thousand. It went to the Senate, and if I may be permitted to speak in debate as to what occurred in that body, a report was made adverse to this bill, and this was the reason given:

The committee of the Senate said it was the policy of the Government of the United States to permit this company to not only pay interest and dividends and cost of depreciation and manufacture, but permit this company to gather up profits large enough to build its plant out of the profits. They said it was better to let them gather in from the people in addition to all other legitimate items of profit a sum sufficient to enable them to make all extensions and improvements, keeping the capitalization down to a small figure, rather than to issue capital stock and bonds and to build the plant out of that, because if you keep the capital stock to a small figure you can regulate the price of gas. Now, having built their plant out of profits, they come and ask us to enable them to capitalize not only those profits but the present price of gas. To that proposition I can not give my consent.

Mr. Chairman, I reserve the remainder of my time. [Loud applause.]

Mr. SIMS. Mr. Chairman, is any time going to be consumed on the other side?

Mr. JENKINS. The gentleman can take time now if he wants to.

Mr. SIMS. I would like to have some gentleman who is in

favor of this bill come forward now and occupy some of the time.

Mr. JENKINS. Let the gentleman take care of his side and we will take care of ours.

Mr. SIMS. All right, Mr. Chairman, I will accept the challenge.

I hope I may have order. I do not make this appeal because of any personal feeling as to the merit of what I may say. But I want, when this vote is taken, for those gentlemen who have had so much to say about trusts and monopolies, if they vote for this bill, to know that they shall not be able to excuse themselves on account of ignorance of its contents.

I want to say frankly to this House, Mr. Chairman, that the weight which usually attaches to the proper deliberations and actions of a committee, a great committee of this House, upon a bill does not attach in this case and ought not to, and I will show you the reason. I know it is a common thing for gentlemen to come up here and vote with the committee; and it is a proper practice and custom, because usually the committee investigates and finds the facts and reports them to the House. This information, given by the committee, should be given great weight in the House. I want to show you what the action of the District Committee, of which I have the honor to be a member, has been in this particular case, and see then whether you will like to vote with the committee just because the majority has reported the bill.

Mr. Chairman, this is not a political question. It is not a majority question. You can be for or against this bill and be a Democrat, a Republican, or a Populist. I want to go over the work of my own committee; not the work, but the failure to work. You who were in this House last winter know that a bill was introduced and referred to the District Committee to recapitalize. No, that is only a part.

Mr. JENKINS. While the gentleman is taking a drink of water, will he consent to an interruption?

Mr. SIMS. I always yield to the gentleman with pleasure.

Mr. JENKINS. Were you not one of the advocates of the payment of the claim to the Methodist Book Concern by this House?

Mr. SIMS. Yes, sir.

Mr. JENKINS. Did you vote for it?

Mr. SIMS. Yes, sir. While the money was undoubtedly due, I would vote to return it, even though it went to my own State. I will vote to return every dollar of it. I challenge any man to give me an opportunity to do so. I never will approve of the methods by which it was obtained, and I unqualifiedly so stated shortly after the bill was passed, before the Senate committee that investigated the matter. A bill was introduced and referred to this committee on the 8th day of January, 1901. It lay in soak a week or ten days. No man came in to champion it and no man came in to oppose it. No man was heard for or against it. Another was introduced on the 17th, reported favorably on the 19th, and taken up in this House and pushed for a vote on the 21st.

Oh, what a waste of time the committee did devote to the investigation of the affairs of this company! Do not you feel proud of your work? Introduced on the 8th, amended and reintroduced on the 17th, reported on the 19th, and brought to a hearing in the House on the 21st. What was the result? That bill was for several purposes. One was to consolidate the Georgetown and Washington Gaslight companies, which no man has ever opposed. This is a mere hypocritical pretense; it is only to drag through the nefarious proposition of recapitalization. A bill simply to consolidate these companies would pass without a word of opposition, and every man on the committee knows it.

That bill was for the consolidation of the gas companies, and then to capitalize them upon a basis of 4 per cent of the net earnings. The committee promptly voted in favor of it and brought in amendments making it 4 per cent upon the net earnings as determined by the supreme court of the District. They undertook to rush it through this House, and what did it meet with? It met with humiliating defeat. The distinguished chairman of the committee held up both hands and said, "Lord, have mercy on us, and let me take it back before it gets cold." [Laughter.]

When the motion to recommit was voted upon, what else went with it? There were instructions by a solemn vote of this House, and let me show you what those instructions were. Now, remember, after consideration of that bill by this House in Committee of the Whole, the House solemnly voted the following instructions to the committee when the bill was recommitted:

On and after July 1, 1902, the Washington Gaslight Company shall furnish gas to the people of the District of Columbia for 90 cents per 1,000 cubic feet; on and after July 1, 1903, at 80 cents per thousand cubic feet; on and after July 1, 1904, for 75 cents per 1,000 cubic feet.

There was a clear and explicit instruction by vote of the House directing the Committee on the District of Columbia to so report. How did they obey? Remember that that vote was given on the 21st day of January, 1901. The bill was recommitted, and not a

witness, no mortal man, went before that committee. No evidence was taken, and the District Committee, with an entirely contemptuous disregard of the vote in this House, failed to act on these instructions until when? Until the 1st day of March, 1901.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having taken the chair, a message in writing was received from the President of the United States, by Mr. B. F. BARNES, one of his secretaries.

RELIEF FOR THE CITIZENS OF THE FRENCH WEST INDIES.

The SPEAKER laid before the House the following message, in writing, from the President of the United States; which was ordered to be printed and referred to the Committee on Appropriations.

To the Senate and House of Representatives:

One of the greatest calamities in history has fallen upon our neighboring island of Martinique. The consul of the United States at Guadeloupe has telegraphed from Fort de France, under date of yesterday, that the disaster is complete; that the city of St. Pierre has ceased to exist; and that the American consul and his family have perished. He is informed that 30,000 people have lost their lives and that 50,000 are homeless and hungry; that there is urgent need of all kinds of provisions, and that the visit of vessels for the work of supply and rescue is imperatively required.

The Government of France, while expressing their thanks for the marks of sympathy which have reached them from America, inform us that Fort de France and the entire island of Martinique are still threatened. They therefore request that, for the purpose of rescuing the people who are in such deadly peril and threatened with starvation, the Government of the United States may send, as soon as possible, the means of transporting them from the stricken island. The island of St. Vincent and, perhaps, others in that region are also seriously menaced by the calamity which has taken so appalling a form in Martinique.

I have directed the departments of the Treasury, of War, and of the Navy to take such measures for the relief of these stricken people as lies within the Executive discretion, and I earnestly commend this case of unexampled disaster to the generous consideration of the Congress. For this purpose I recommend that an appropriation of \$500,000 be made, to be immediately available.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, May 12, 1902.

WASHINGTON AND GEORGETOWN GASLIGHT COMPANIES.

The Committee resumed its session.

Mr. SIMS. Mr. Chairman, for some months after this committee had been instructed to report back a bill fixing the price of gas as I have stated, they absolutely did nothing. On the 1st day of March they made a report against reduction. They made this report at a time when it was known by the gentlemen who joined in making the report that it would not be and could not be considered at that session.

Does this look as if this committee were taking care of the interests of the people of the District of Columbia and the interests of the Government of the United States equally and justly and fairly? They were ready to rush a bill through in three days, but after the bill had been recommitted to them with instructions they kept the bill until the 1st day of March before reporting it—only three days of the session remaining—they knowing that no action could be taken; and yet we are asked here to give weight to the recommendations of a committee that has shown itself to be entirely biased and one-sided.

Now, let us look at things as they are at the present time. The last report I have seen coming from this company bears date 1895, seven years ago. A bill is introduced to consolidate—which nobody has ever objected to—and to recapitalize upon the actual value of the property of this company, that value to be ascertained by the market value of the stock ninety days in the future, notice of which was to be given, so that the people who would make it their business to take care of the value of the stock by looking after the sales would have prompt and due notice so that they might know just what to bid. And there were no limitations fixed upon this provision. There was no limit upon the number of shares to be sold or upon the price. There was no limitation upon anything. This was an absolute stock-jobbing and stock-watering scheme, which they undertook to carry through by legislation—a scheme to be put into operation here at the national capital, where the Government is the consumer of something like one-fourth of the output of gas, the poor, unrepresented people of this District consuming the rest; and let me say, in this connection, that I think this matter appeals more strongly to members of this House than it would if the people of this District had representation on this floor. They have none.

And there is another consideration. It is a known fact, although it does not appear in the report, that the well-to-do people of this District are using electric light to-day; it is the poorer and the less wealthy who have to use gas. This bill was introduced originally in the shape I have stated. We have now another bill before us. A similar bill was first introduced without any limitation whatever. This bill was introduced on the 7th of April, 1902, with a single change by way of limitation, providing that the shares of the new stock should not be greater in number than the

authorized number of shares of the existing company. Remember that the present stock is in shares of \$20 each, par value, and if there should be a reissue at \$100 per share, par value, as is sought to be accomplished in this bill, it would be an increase of 5 to 1. This is the limitation which was inserted in the new bill introduced on the 7th of April, and lauded in the report as a safeguard against overcapitalization, should there be any desire to accomplish such a result.

When was that bill introduced? As I have said, on the 7th of April, 1902. Now, hear, ye who have ears to hear, when was that bill reported? Here is the report, Report No. 1469, presented on the 7th day of April, 1902. Look what a long season of investigation. Not a word as to surplus on hand; not a word as to the salary account; not a word as to the amount of additional improvements; not a word with reference to this last Congressional investigation. The committee simply says, "Here is what the company wants, and here is what we propose to give them." That is the effect of the bill; that is what it means, as the action of the committee shows. This is the report made without any investigation so far as the committee is concerned. I do not know what one gentleman may have said to another in private conversation. I know much was said to me in that way, but I would not repeat it in this House because it would not be proper to do so.

But I want to appeal again to the good judgment of this House and ask how much consideration and weight is due to the deliberations of a committee that has not deliberated—to the information of a committee that has not taken the trouble to inform itself.

Why, sir, I would not have objected to reasonable recapitalization in accordance with the value of this property—its actual value. I do not to-day make any such objection. But my Heavens! How can I know anything about what its actual value is? Last winter when a motion was made to recommit the then pending bill with instructions to reduce the price of gas I voted against the motion because I had not sufficient information. I did not know what action would be just, and I did not want to do anything which might be a wrong to this company or anybody else. Here we are, a year and several months later—that much older, and the Lord only knows how much less wise! I have described the measure before you. You are asked to come up here and increase the capitalization of this company or these two companies from the present capitalization, \$2,750,000, to \$13,750,000. Will any gentleman point me to a case of overcapitalization in any public-service corporation in the United States that will compare to the proposed overcapitalization of this corporation?

I do not know whether this company is selling gas too high or too low, because they have furnished us no information. I do not propose to be radical or extreme in my action. I have a theory and a position which another gentleman has stated better than I can. I want to read his language. It is very short. Now, gentlemen, listen to this, for it is not my language. This is the language of a gentleman worthy of your attention:

I maintain that it should be the policy of the Government in the District of Columbia to keep the capital stock and bonded indebtedness of every corporation at the lowest possible amount, and to allow them to have an income annually from receipts to make the extensions which are essential in the development of this city. I hold that it is a true business proposition that if you keep the capital stock down dividends will also be kept down.

That speech was delivered in 1896, on May 18, in the Senate of the United States by the honorable, distinguished, and able Senator, Charles J. Faulkner, of West Virginia. I plant myself upon that statement. It was true and just then, it is true and just now, that you should hold them down to the lowest possible amount. Why, take that proposition there laid down by the distinguished Senator at that time, and you could not increase this stock a dollar. Hold it down. Let them improve out of the earnings, and then dividends will take care of themselves. That is my position to-day. I learned this from that and other sources, equally as good. I am willing to follow all such doctrines and apply them to any city in the United States, but this is a Federal city. In this city, one-half of its burdens are paid by taxation on the people of the United States. This Government is a consumer of the products of this company and certainly we should not in any form authorize a capitalization of any kind, by hook or crook, that will prevent this Congress at any time it may see fit from reducing the price of gas, should circumstances justify it, to the lowest possible price commensurate with just returns on the capital actually invested.

What do these gentlemen want? Last winter they wanted a capitalization upon 4 per cent of their net earnings. This winter they want a capitalization upon the value of stock to be sold in the future. What do these gentlemen want? Do they look like gentlemen simply wanting justice, simply wanting that which is reasonable and right and businesslike? The records condemn any such statements and refute any such pretense on the part of anybody with information on this subject. I do not care what the dividends are. I do not care if they are 10 or 5 or 20 per cent,

provided the service is good and reasonable. What is the difference to the owner of a share of stock of the par value of \$20 which he can sell for \$80 and on which a dividend is earned at the rate of \$80, or a share of stock for \$100 which he can sell for only \$80 and on which a dividend is paid for no more than \$80? Take this capital stock as it stands, and at the present basis of 10 per cent dividends it means \$275,000 a year. Increase it as proposed in this bill, and 4 per cent upon the new stock issued will be double that, or \$550,000 a year at the present price of gas.

I have objected to the proposition to amend by putting in three disinterested men. Of course that is a good qualification, but who are they? We do not know. I do not think Congress ought to turn this Federal corporation in this Federal city over to be treated by three men appointed by any court whose action is to be final and not reviewed or confirmed by a court. That is my objection to that. Now, then, there is another question. There is a law—the law of 1896—the very act that Senator Faulkner was discussing, from which I have diverged, which provides how to issue capital stock in these two companies. Why not follow that? Congress passed that law after great deliberation, and then they had hearings, and then they had proof and reports, and they provided that it should be authorized by the supreme court of the District of Columbia upon the actual value of the properties ascertained by them in their own way and by their own methods. That made a great high court responsible for this action. Congress did not thus seek to deprive itself of revisory power by turning it over to three men. Certainly if such an amendment is to go in this bill it ought to provide that the court should confirm or refuse to adopt the action, whatever it is.

But gentlemen who know so much more about gas matters than I do—my colleagues who joined in this minority report—say the bill ought to be defeated and let a bill come in with proper investigation; let this company inform the House of its condition, and then let us give them a capital stock that is just to them. I have heard some of the gentlemen interested say that they only wanted such a capital as would not invite raids; that would be in the nature of a protection against unjust and unreasonable demands. For one, I do not object to it; but how is Congress to act without information, without knowledge, without consideration by this or some other committee that will consider and hear the matter? Every line of the bill can be stricken out except the consolidation feature, and I will certainly most cheerfully vote for it.

Now, Mr. Chairman, one side of this question has been so thoroughly discussed that I do not care to string it out further; but I wanted the House to see just how we had acted and how much weight should be given to the action of a committee which has acted without consideration, without hearing, without proof.

Mr. BLACKBURN. I should like to ask the gentleman a question.

Mr. SIMS. Certainly.

Mr. BLACKBURN. Did anybody oppose the bill in the hearing before the committee?

Mr. SIMS. When the bill was introduced on the 7th and reported on the 7th, who had time to oppose it?

Mr. BLACKBURN. But did anyone appear before the District Committee in opposition to this bill?

Mr. SIMS. No man appeared before the committee to oppose it and no man appeared to favor it.

Mr. BLACKBURN. I will ask the gentleman if it was not before our committee for weeks for our consideration, and no opposition to it?

Mr. SIMS. A bill which has not been reported was before our committee for several weeks—I do not remember how many.

Mr. MUDD. May I interrupt the gentleman?

Mr. SIMS. Certainly.

Mr. MUDD. I apprehend the gentleman does not wish intentionally to misrepresent the facts?

Mr. SIMS. No; I do not.

Mr. MUDD. Does not the gentleman know that a bill was introduced and before our committee for nearly two months, and that this bill is merely the bill which was introduced by the chairman as a substitute, with the amendments which were agreed upon incorporated in it?

Mr. SIMS. I think that is substantially correct.

Mr. MUDD. Does the gentleman want to make this House believe—that which he must know is not in accord with the facts—that the committee reported the bill the same day it was introduced?

Mr. SIMS. This bill was reported the same day it was introduced; but I have stated that it was changed only by introducing the limitation. That was the only change from the bill that was introduced before the committee quite a long while before.

Mr. MUDD. In other words, this bill is the bill originally introduced and before the committee for nearly two months, and that was fully considered, and that no one objected to from any source, with the addition of the amendments agreed upon by the

committee and introduced by the chairman of the committee, including the amendments that the committee considered ought to go before the House.

Mr. SIMS. I do not remember just when the bill was introduced. If the gentleman can tell me or have the clerk of the committee tell him, I should be glad to have the date.

Mr. MUDD. I do not recall the exact time. I know this bill was before the committee and was called to the attention of the committee four or five times, and there was full opportunity for consideration by members of the committee, and that it was postponed several times because one member or another was sick.

Mr. SIMS. That is true, but I do not remember the exact date of the introduction of the bill. If the gentleman can give me that information, I shall be glad to have it.

Mr. MUDD. I am told that it was introduced on February 10.

Mr. SIMS. Now, I am able to answer the gentleman's question. The bill was originally introduced on February 10, and reported April 7, which is not two months.

Mr. MUDD. It is not very far from it.

Mr. SIMS. No, it is not far wrong. You are substantially correct, as you are generally; but it was introduced February 10, and without one word of proof or one word of hearing or one word of information to the committee, the gentleman who just addressed me voted for it to be favorably reported on April 7.

Mr. MUDD. If the gentleman will allow me one word right there, the chief matter under consideration and in controversy in that bill was the matter of capitalization. It was not the price of gas, and the gentleman never raised that question nor did anyone else.

Mr. SIMS. The bill did not propose to deal with the price of gas; therefore it was not necessary nor incumbent to ascertain the price of gas except as an incident to a proper investigation with reference to capitalization. But the bill did propose a recapitalization.

Mr. MUDD. That is right.

Mr. SIMS. And the limit of capitalization was not fixed until April 7. The amendment shows this; and it was absolutely necessary in order for us to know whether the recapitalization was just or not that we should have hearings and know the value of the property, its surplus, its earnings, its salaried account, and every item pertaining to its business. But no witnesses came before the committee, and the gentleman voted for the bill as it is without information so far as the committee is concerned.

Mr. MUDD. Does the gentleman think we should examine witnesses as to the method of capitalization of a company? I do not understand that the committee felt called upon to hear witnesses in order to determine that question. If the gentleman wanted witnesses, as he seems to think that what the committee did was indefensible without having heard witnesses, why did not he himself ask for a hearing for such as may have desired to appear?

Mr. SIMS. Does the gentleman admit that upon the mere demand of a public-service corporation, that serves the unrepresented good people of this District, he is willing to give them power to capitalize their property at five to one of its existing capitalization?

Mr. MUDD. As to the watering of stock, which the gentleman seems to think possible under this bill, that is a question about which I know very little. There ought to be some correspondence between the face and the market value. But the question to which I had arisen was that the gentleman had said that there was no hearing, and I say that there was no demand for a hearing, and that the bill was not introduced in hot haste and rushed through, as the gentleman has stated here. No one in this city appeared before the committee and opposed this bill. I want to say that to the House as a matter of fact.

Mr. RAY of New York. Now, with the permission of the gentleman who has the floor [Mr. SIMS], I would like to ask the gentleman from Maryland a question or two.

Mr. MUDD. I will answer the questions of the gentleman as to the matters of fact. I do not propose to be called up and catechised on any theory that he may entertain and which I have not touched upon.

Mr. RAY of New York. I do not have any theories. I want a little information. I understand the gentleman is on the committee that reported this bill?

Mr. MUDD. Yes, sir.

Mr. RAY of New York. Well, then, I would like to know what information you had before the committee as to the actual value of the property owned by this company, real and personal.

Mr. MUDD. I can not say that we had anything specific as to that.

Mr. RAY of New York. Then I suppose you had none. I would like to ask the gentleman, further, upon what basis did you vote for this proposition that deliberately gives to this company authority to increase the capitalization or valuation of that stock from about three to thirteen millions and over?

Mr. MUDD. Mr. Chairman, I say the committee never proposed to do anything of the kind. The plan of capitalization which the committee proposed was this: That the face value of the stock should correspond with and the aggregate capitalization should not exceed the actual market value within three months after the reorganization. In other words, we thought that the face value should have some correspondence to the actual market value. There was no stock-watering proposition contemplated by the committee; but the object I had in interrupting was to deny that this question has been brought in hot haste before the House, and I say that any such an assumption was erroneous in point of fact.

Mr. RAY of New York. Then, if the gentleman will permit me, does the gentleman advocate that a legislative body which creates a corporation should permit it to increase its stock, to double its capital stock whenever it is found the par value has doubled in the market?

Mr. MUDD. Well, if that were the condition, and it appeared to be reached under circumstances that gave color to the charge of stock watering, there should properly be a limitation on the stock. And I want to say in this connection that the committee is willing this matter of the issue of stock shall be safeguarded by any reasonable provision in the nature of a regulation or limitation that anybody in the House might offer.

Mr. SIMS. The gentleman has made an admission upon which certainly this House can act. It has had no information upon several of these questions. Can you tell how large the surplus of this company is? Can you tell how much the laying of the mains has cost since 1894; how many miles of mains they have now? No information of that kind has been given to the committee, or to the House, and yet the House is asked to authorize the capitalization based absolutely on an unknown quantity according to the gentleman's own admission. [Applause.]

Now, that is a wonderful argument on which to ask the serious consideration and action of this House. We have no information which is worth anything as to the actual value. The bill was reported the same day, as the gentleman showed, the other was introduced, in February, without any consideration, without proof, without hearing any information, with nothing only the most noble, generous, good will of the majority of the committee in charge of the legislative measure.

Mr. BLACKBURN. I would like to ask the gentleman from Tennessee why it is that he desires this information to give to the House? He did not get it as a member of the committee.

Mr. SIMS. I am unable to get it now from the distinguished gentleman who has just spoken [Mr. MUDD]. I do not believe the committee has it. I do not believe the gentleman himself has it, although he is ready to vote for this bill without any information, apparently. I only know of one good rule when you do not know, and that is, when you are uninformed do not support the positive side of any question. Why not have a bill introduced here to consolidate and recapitalize this company and have hearings and let us know the facts; and then when we have acted let nothing come up in our rear of which we shall be ashamed the balance of our days?

Mr. GAINES of Tennessee. Is it not a fact, if the gentleman will allow me an interruption, that at the last Congress a similar bill was before the House and nobody appeared before the committee to approve or disapprove the bill, and for that reason and others important it was sent back to the committee?

Mr. SIMS. That is certainly true. The strength of this bill is purely unlimited ignorance of the affairs of the company, and the gentleman in charge of it knows that as well as anybody else. These gentlemen have withheld all information if they ever had it. I do not want to vote to reduce the price of gas to 75 cents. It may be it is too high, that it is higher than it ought to be, but, not being a gas expert, I do not want to vote to reduce it to that figure without investigation, for I might be doing an injustice. But when you provide for an unreasonable issue of stock, then a just and reasonable limitation in the price of gas must be made. There is no proposition better settled in the law than that.

We are not injuring these gentlemen. If they can sell a twenty-dollar share of stock for \$80 and draw dividends on it at that amount, what great public demand is there that this House shall stop national business of importance in order to recapitalize their companies from \$2,700,000 so that it may be possible by manipulation to make it \$13,750,000?

I want to tell gentlemen in this House that if there are enough members who will stand by us, that you gentlemen have got to go on record in voting for this bill, and when you do it I imagine you will have a manacle about your necks that when you go about talking of the beef trust and the steel trust or any other trust you will have to exhibit a label of "gas trust" in the national city which had no representation, in which the Government was a one-fourth consumer, made possible by your votes. I have no personal ill-feeling against any gentleman on the committee; they are my personal friends and I am glad to number

them among my friends; I only allude to their action as a committee. I have not intentionally misstated a single fact. The committee admits that it is without information, and here is a proposition to capitalize, or make it possible to capitalize, companies whose capital is now a little over two million to thirteen million. The consumers of gas in the city of Washington have got to bear the burden put upon them for future years. You are legislating for the people in the future who are manacled and have no power to represent themselves. [Applause.]

Now, Mr. Chairman, I do not know how much time I have left, but I will reserve what I have for the present.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HILL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 2036) granting an increase of pension to Etta Adair Anderson.

The message also announced that the Senate had passed, without amendment, bills of the following titles:

- H. R. 11133. An act granting an increase of pension to James D. Lafferty;
- H. R. 4451. An act granting an increase of pension to George K. Thompson;
- H. R. 8341. An act granting a pension to Hannah C. Chase;
- H. R. 13036. An act granting an increase of pension to John B. Greenhalgh;
- H. R. 10821. An act granting an increase of pension to Abby T. Daniels;
- H. R. 12978. An act granting an increase of pension to Charles F. Smith;
- H. R. 13019. An act granting an increase of pension to Marietta Elizabeth Stanton;
- H. R. 10488. An act granting an increase of pension to Kate W. Milward;
- H. R. 5865. An act granting an increase of pension to John C. Campbell;
- H. R. 11170. An act granting an increase of pension to William Kunselman;
- H. R. 1724. An act granting an increase of pension to Daniel F. Thompson;
- H. R. 3238. An act granting an increase of pension to Lorenzo Weeks;
- H. R. 7229. An act granting an increase of pension to Edwin M. Dunning;
- H. R. 6172. An act granting an increase of pension to Friedrich Weimar; and
- H. R. 7228. An act granting an increase of pension to Christian Christianson.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 13996) making appropriations for the diplomatic and consular service in the republic of Cuba, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CULLOM, Mr. LODGE, and Mr. MORGAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

- S. 2375. An act granting an increase of pension to Daniel Ridinger;
 - S. 2653. An act granting an increase of pension to Joshua Weaver;
 - S. 5047. An act granting a pension to E. C. Curtis;
 - S. 4765. An act granting an increase of pension to H. R. Rutledge; and
 - S. 5718. An act providing for the sale of sites for manufacturing or industrial plants in the Indian Territory.
- The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:
- H. R. 4103. An act granting a pension to William C. Hickox;
 - H. R. 10545. An act granting an increase of pension to Solomon P. Brockway;
 - H. R. 6625. An act granting an increase of pension to Mary T. Downing;
 - H. R. 9606. An act granting a pension to Charles Blitz;
 - H. R. 9544. An act granting an increase of pension to George W. Barry; and
 - H. R. 1346. An act granting a pension to Adelbert L. Orr.

WASHINGTON AND GEORGETOWN GASLIGHT COMPANIES.

The committee resumed its session.

Mr. GAINES of Tennessee. Mr. Chairman, this is a very important matter, and it seems to me that members ought to listen to it. I am going to call for a quorum, for I do not think there is

a quorum here, and I think we ought to have it. I do not wish to block business, but I think members ought to be here and listen to this debate.

Mr. JENKINS. Mr. Chairman, I make the point of order that there is nothing that requires a quorum to be present when there is debate.

The CHAIRMAN. The Chair will state to the gentleman from Wisconsin that a quorum is necessary at all times.

Mr. GAINES of Tennessee. I do not wish to detain the House, but I want a quorum to listen to this debate.

Mr. JENKINS. It is very evident, Mr. Chairman, that a quorum is present.

The CHAIRMAN. The Chair will count.

Mr. GAINES of Tennessee. Mr. Chairman, I see that many members have come into the Chamber since the Chair began to count. I am satisfied that a quorum is now present, and I withdraw the point of order.

The CHAIRMAN (having counted). A quorum of the committee is present.

Mr. JENKINS. Mr. Chairman, I ask unanimous consent that general debate be concluded at half-past 3.

Mr. UNDERWOOD. I object to that, Mr. Chairman. I desire to take the floor if nobody else desires to be heard.

Mr. COWHERD. I think if the gentleman from Wisconsin will permit me—

Mr. JENKINS. I withdraw the request, Mr. Chairman; I do not care how long the question is discussed.

Mr. UNDERWOOD. I understand, Mr. Chairman, that some member of the committee desires to occupy the floor, and I will yield now and ask to be recognized later.

Mr. STEWART of New York. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has 28 minutes.

Mr. STEWART of New York. I desire to yield ten minutes to my colleague from New York, Mr. DRISCOLL.

Mr. DRISCOLL. Mr. Chairman, a few days ago I was requested to read this bill. I did so, and it struck me as so extraordinary and barefaced in its provisions that I went to the report of the committee to see what they had to say about it. But the report of the majority of this committee is very brief, and not very luminous. It does not give the history in detail of these companies, or either of them. It does not state the ways and means by which the capitalization of this company has been increased from year to year. It does not state the dividends received by the stockholders of these corporations from year to year. In fact, it does not state any fact which we ought to know on this important question before we legislate upon it; for, Mr. Chairman, this is an important question—more important than the few million dollars which this bill proposes to put into the hands of this monopoly, more important than the few million dollars which it is proposed to take from the people of the District of Columbia, and from the Government of the United States, which is also a consumer of the gas furnished by this company.

At the present time our President and our Attorney-General are trying to clip the wings of the meat magnates out West. They are trying to stop their extortionate demands upon the poor people. Now, if we can not legislate directly against combinations and monopolies, we certainly ought not by positive and active legislation favor a monopoly, trust, and combine. We should put ourselves right on this question now.

What are the objects of this bill? As stated, the first object is that the people beyond Rock Creek, over in Georgetown, may have gas for \$1 per thousand feet. Let me ask, Is there no other way to reduce the price of gas 25 cents per thousand to those people aside from increasing the capital stock of this company fivefold? Has this Congress no jurisdiction or power over this corporation, which it created?

The second avowed object is that these two companies may be consolidated in order that there may be one set of books and one set of officers. Generally, that sort of proceeding reduces expenses—is along the line of economy. But let me ask, Is it necessary in order to accomplish this economical arrangement that the stock be increased fivefold?

What is the reason we should give this company several million dollars by this act of legislation? Is this company in dire necessity? Is it poor? Has it done anything for which this Congress is under obligation to it? Has it rendered some great service to the public or to the country or to anybody? It was organized in 1848 with a capital of \$50,000—\$42,500 paid in cash and \$7,500 in capital stock passed around as a bonus. Did it have any chance to lose? Why, sir, the method of manufacturing gas was not an occult science. It was well known. Plenty of coal was near by; plenty of water was in the Potomac. The materials for making gas were abundant. This was a monopoly. It took no chances of loss, because it could always charge enough, and Congress would support it in charging enough, to return fair dividends on

its stock and on its investments. Therefore, I say, it took no chances of losing. Why, then, should it be favored by this Congress to the extent of several million dollars? Why should it be favored by increasing every \$20 share of its stock to \$100 par value, in order that it may reap dividends in the future on this increased capitalization?

The committee say in their report that this company has been conducted along the lines of good business management. Oh, Mr. Chairman, I admit it—most excellent business management! From a capital of \$50,000, it has by means of this excellent management increased year after year until it has now a capital of \$2,600,000. And this has been gathered in from the people in the form of dividends by reason of the price which has been charged for gas; and all this time this company has been paying from 10 to 65 per cent annual dividends. Oh, yes; there has been most excellent management on the part of this company.

But why have they obtained such large rewards, such great returns? Because Congress has permitted them to charge such a price for gas that they could increase their capitalization from their profits from \$50,000 to \$2,600,000 and pay these enormous dividends besides. It is because this Congress has permitted this monopoly to impose upon the people. And, sir, if this company succeeds in humbugging this Congress now to permit them to increase the stock from \$2,600,000 to \$13,000,000, that also will be a stroke of most excellent business management on the part of this company.

What is the next reason why this capital stock should be increased? Why, they say it should be done in order that the people of the District of Columbia may receive their gas at a uniform rate. For this reason they want to increase the capitalization from \$2,600,000 to \$13,000,000. Well, gentlemen, that is an old argument. It may be plausible, but it is a foxy argument. It seems to me I have heard it before. Why, sir, away back years ago when the Standard Oil Company wished to get a monopoly they said, "In order that the poor people may receive oil at a uniform rate we want to drive all competition out of the market." And they did so. Later on the coal barons said, "In order that the poor people may have coal at a uniform rate we will drive out all competition." And they did. And now they can jockey up the price just as they take the notion.

Later on the New York Sugar Refining Company said: "In order that the people may have sugar at a uniform rate we will drive out all competition." And they have been trying to do it, as Mr. Havemeyer testified before the Senate committee only a few days ago. Later on the big butchers of the West began to have enlargement of the heart; they were moved by generous impulses toward the poor people. They said: "In order that the poor people may have meat at a uniform rate, we want to drive out all competition, so that we may control the market and give them cheap meat." They drove out competition, and now the President and the Attorney-General are trying to stop them from charging exorbitant rates to these same poor people. Beware of the Greeks bearing gifts; beware of the magnanimous promises on the part of these monopolies; beware of any class of people who are trying to screw more money out of the poor. I understand that Mr. John R. McLean is a large stockholder in this corporation and president of it. I am informed he is a very rich man, but he probably would like a little more, in order that he may pay the expenses, the legitimate expenses, of another campaign out in Ohio. But I do not want to be partisan in this speech, because when it comes to making money Republicans and Democrats are alike and politics do not count.

Mr. SHATTUC. You do not believe in trusts—

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLEFIELD. I ask unanimous consent that the time of the gentleman be extended five minutes.

Mr. STEWART of New York. Mr. Chairman, I yield the gentleman five minutes more.

Mr. SHATTUC. If you do not believe in trusts, if you consolidate these two trusts, won't you get rid of one? [Laughter.]

Mr. DRISCOLL. Yes; what is the point of that?

Mr. NORTON. You are eliminating one trust. [Laughter.]

Mr. DRISCOLL. That may seem funny, but it is not very funny to the people of the District, if you are permitted to increase this company's capitalization fivefold. If you give this stock a certificate of character so that the holders may go out and sell it at par, the purchasers will come before this Congress in years to come and say the price of gas must be kept up in order that they may receive a fair dividend on their holdings. That will be no joke, for generations to come, if this proposition goes through.

Mr. GAINES of Tennessee. Will the gentleman permit a question?

Mr. DRISCOLL. Yes.

Mr. GAINES of Tennessee. You spoke of John R. McLean a moment ago being behind this matter, and that it is a monopoly,

and you are denouncing it here. The Democrats over there have been doing the same thing, have they not?

Mr. DRISCOLL. Yes. But I want to say this is not a party question. When it comes to making money, Republicans and Democrats join hands to screw and press a little more out of the blood and tears of the people.

Mr. JENKINS. I would like to ask the gentleman a question. Has Mr. McLean approached the gentleman from New York on this question?

Mr. DRISCOLL. No. I have never seen the gentleman in my life.

Mr. JENKINS. Do you know whether he has approached the gentleman from Tennessee [Mr. GAINES]?

Mr. GAINES of Tennessee. I can say to the gentleman that he has not, and neither has any other man that ever lived to do a wrong.

Mr. DRISCOLL. I do not know anything about approaching the gentleman from Tennessee.

Mr. JENKINS. Mr. McLean is but one stockholder among a thousand.

Mr. DRISCOLL. I am not criticising Mr. McLean any more than the others. I say that Republicans and Democrats and Prohibitionists and Mugwumps, when it comes to making money, join hands to screw up prices and wring money out of the people.

Mr. STEVENS of Minnesota. If I understand the gentleman from New York, his statement is that Republicans, Democrats, Mugwumps, and Prohibitionists are frauds.

Mr. DRISCOLL. No; you do not. I say when it comes to making money, when they attempt to make more money under cover of law out of a public utility, then they are frauds, if you call that fraud.

Mr. JENKINS. Will the gentleman from New York yield to a further question?

Mr. DRISCOLL. Yes.

Mr. JENKINS. To what party does the gentleman from New York belong?

Mr. DRISCOLL. I am here as a Republican with a large majority.

Mr. JENKINS. I understand you to say that all Republicans are frauds.

Mr. DRISCOLL. No; I do not. I say when it comes to making money—to screwing money out of people by monopoly or by protection of law—there is no difference between Democrats and Republicans. Human nature is alike in that respect.

Mr. JENKINS. The gentleman from New York, then, is screwing money out of the people all the time, is he?

Mr. DRISCOLL. No; I am not.

Mr. JENKINS. Only a part of the time? [Laughter.]

Mr. DRISCOLL. No; and I am against this bill because you want to screw several millions out of the people and put it into the pockets of this great monopoly. Let me say one word here before I close. I want to call the attention of my friends from Illinois to the fact that they had a Republican convention out there the other day, and they passed resolutions against trusts and made speeches against trusts. Speeches against trusts now are keynote speeches. No man can go out from this hall and accept a nomination, either Republican or Democrat, without talking against trusts which they call keynote speeches, and the Republican platform of Illinois because it denounced trusts is a keynote platform. I do not know how any Republican from Illinois can after reading the platform of his State vote for this bill. I do not know whether the gentleman from Maryland, who was talking for the bill a few moments ago, can go over across the border and talk against trusts in his district. If he wants to be sincere, let him vote against it. If he votes for it, he will have a hard time making the people believe he is sincere when he is railing against trusts and combinations and monopolies next fall.

And what I say to him I wish to apply to every man on either side of the main aisle of this House. I want to say to the gentleman from Wisconsin [Mr. BABCOCK], who is chairman of this District of Columbia Committee, and also chairman of the Republican Congressional Committee, that if he stands here against this bill and hits it hard, he will accomplish more, and it will be a better document for circulation next fall, for his party, than all the literature he can send out if he votes for and stands by this bill here. [Applause.]

Mr. JENKINS. Will the gentleman from New York yield to me?

Mr. DRISCOLL. Yes.

Mr. JENKINS. I want to say to the gentleman from New York that the gentleman from Wisconsin [Mr. BABCOCK], to whom the gentleman from New York has recently referred, is absent from this House on account of sickness. He never does anything for political effect. He does just exactly what he thinks is right, and he is standing for this bill because he knows it is right.

Mr. DRISCOLL. I may certainly give my opinion of his attitude in this particular case. I am not impugning his motives.

Mr. JENKINS. The gentleman from Wisconsin you refer to is not a demagogue.

Mr. DRISCOLL. I am simply talking about this bill. It is wrong, and on its face it is an outrage.

There are some gentlemen who propose to amend this bill. It is apparent it can not go through as it is. Every man who loves fair play, every man who insists that another man shall get a dollar's worth of any sort of product for a dollar, will be against this bill. Now, it is proposed to amend it. I hope the gentleman from Maine [Mr. LITTLEFIELD] will not offer his amendment. I hope no other gentleman will offer any amendment. I hope this bill will be killed, because I believe that every man here who is against trusts and combinations of this kind will hit this bill and hit it hard. Then let this company come forward with its record. Let it show where it has made its money; let it show how much surplus it has; let it disclose all the facts, and this Congress in the future will be able to determine what it shall be capitalized at. If this amendment comes up, let it be killed now, and let us not give up the jurisdiction of this Congress over this company and its affairs. Let us retain in the hands of Congress this jurisdiction, so that in the future we may regulate the price of gas and regulate the capitalization of this company. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, I have but little to say as to why this bill should not become a law. Members of the committee have very ably stated their objection to the bill, and there is no reason why I should take part in the debate except that I want to put on record my protest against this class of legislation. I have no objection to these two companies consolidating. It seems that one company was organized in Georgetown when it was a separate political organization from Washington, and the other company in Washington, many years ago. Washington and Georgetown are now the same city, and if it is more convenient for the stockholders, who I understand own the two companies together, to have them under one management, I see no objection to that. There is a law now on the statute books that authorizes them to make that consolidation, so that, so far as that is concerned, there is no necessity for further consideration by this Congress.

But my objection to the bill goes to the other question, and that is the question of authorizing these companies, under a bill for the consolidation of the two companies, to increase their capital stock \$11,000,000. So far as private corporations are concerned, corporations not acting in a public capacity, it is no concern of mine, no concern of yours, and no concern of the people whom we represent how much capitalization they have. It is of little importance to us whether a furnace company manufacturing pig iron for sale has a capitalization of a hundred thousand dollars or a million dollars, because that makes the product of the furnace no higher and no cheaper. It affects the price in no way. That is one class of corporations doing business in this country.

There is another class of corporations occupying a quasi-public position. Railroad companies, telegraph and telephone companies, gas companies, and water companies belong to this latter class. In these companies the stockholders are not the only ones interested. They serve the public. They perform a public duty. The public are required to pay for that service, and the question of how much money the public must pay depends to a certain extent on the amount of the capitalization of those companies. Therefore when you come to a company such as this, a company that has a public duty to perform, a company that sells its product to the people, a company in which every citizen of the District is interested, it is our duty as legislators to consider carefully the amount of capitalization of the company and know whether or not the people whom that company served are to be taxed to pay the dividends on a fair capitalization of the capital stock or on watered stock. Now, what is the history of this company? I have no objection to the people who have money invested in this company receiving a fair and honest return on the money invested.

They have subverted a public need by investing their money in a public enterprise serving the people of this town, and as long as that service is rendered legitimately and properly they should be protected and fostered, but when they ask the people of the city of Washington to pay them unjust and undue dividends on the capitalization of their company, then they are exceeding their legitimate powers and taking that from the people of the District that they are not entitled to receive from them. That is the whole proposition before us.

Now, what is the history of this company? I find that in the year 1848, over fifty years ago, this company was organized with an authorized capitalization of \$50,000; that there was only \$42,000 actually paid in, and the balance of the capital stock was water up to \$50,000. They started out in the very inception of the company by watering their stock, and giving a money bonus to the stockholders, and to receive dividends on that from the people of the District of Columbia. Of course, when the town was small and the consumers were few the company did not make

very much money and did not receive a large amount of dividends. But I find from the very able report made by the gentleman who makes the minority report in this case that in the year 1874 this company paid a dividend of 55 per cent to its stockholders; serving a public interest and yet gathered from the people of this District enough money to pay its stockholders 55 per cent on its capital stock.

In 1876 they paid 65 per cent; in 1878 they paid 15 per cent; in 1879 and in 1880 they paid the same per cent, and in the report made at the time when Mr. Randall was Speaker of the House of Representatives they admitted that for thirty-one years they had paid an average to their stockholders of 16½ per cent, besides the betterments that they had paid for. In 1881 they paid 10 per cent; in 1882 they paid 10 per cent; in 1884 they paid 50 per cent dividend; in 1885 they paid 12½ per cent dividend, and in addition to that they reported in 1896 to the chairman of the District Committee that for that year they had paid 33 per cent dividend on their capital stock.

Mr. COWHERD. That was a statement in the minority report, which was made by estimating the stock at \$2,000,000. As a matter of fact, they paid 30 per cent and 6 per cent besides.

Mr. UNDERWOOD. I thank the gentleman for the correction, and that only carries out my statement. Instead of 33 per cent, it seems they paid 30 per cent and then 6 per cent on top of that. So the result is that here this company has been in existence for over fifty years and at no time have they paid less than 10 per cent dividends to their stockholders, and on several occasions they have paid as much as 50 per cent, and many times over 25 per cent. Now, it does not appear from any report we have here that they ever called on their stockholders for a single additional dollar of subscription of capital stock since they were incorporated. The entire expansion of the plant, the building of the plant, increasing the piping necessary, has all come from the profits they have collected from the sale of gas to the people of the District of Columbia. They have made it out of the people who have bought gas in the city, and with the returns of the dividends they have received they have increased their capital stock without putting in a single dollar out of their pockets over the \$42,000 that they originally invested until it has increased to \$2,750,000 to-day.

Now, that is what they have already increased this capital to; and what do they propose in this bill? They propose, because they can pay a dividend on \$13,750,000, to increase the capital stock of the company to their dividend-earning capacity. Now, what do they acquire their dividend-earning capacity from? Does it belong to this company? Is it because this property that pays this dividend belongs to the gas company of Washington? If it does, why, then, naturally they might be entitled to increase their capital stock. What it pays this dividend on is the franchise, or the right to sell gas to the people of this city. That is what gives value to the property of this company, and that alone gives value to it.

Mr. JENKINS. With the permission of the gentleman, I will move that the committee do now rise.

Mr. UNDERWOOD. I have no objection. I will yield for that purpose.

The motion was agreed to.

The committee accordingly rose, and the Speaker having resumed the chair, Mr. HASKINS, chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13405 and had come to no resolution thereon.

FOR THE RELIEF OF CITIZENS OF THE WEST INDIES.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent to call up the bill (S. 5736) for the relief of the citizens of the West Indies.

The SPEAKER. The gentleman from Indiana, by instruction of the Committee on Appropriations, calls up the bill S. 5736.

Mr. UNDERWOOD. Mr. Speaker, I did not know that the committee had arisen to transact business. I understood it was merely an informal matter.

The SPEAKER. The Chair will state that the committee rose for the purpose of transacting business. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to cause to be purchased such provisions, clothing, medicines, and other necessary articles as he shall deem advisable, and tender the same in the name of the Government of the United States to that of France for the relief of the citizens who have suffered by the late earthquake and eruption in the islands of the French West Indies.

SEC. 2. That the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into operation this act.

SEC. 3. That the Secretary of War is authorized to use necessary steamers and vessels belonging to the Government to carry into effect the purpose of this act.

Mr. HEMENWAY. Mr. Speaker, I ask that the Clerk read the report of the Committee on Appropriations.

The SPEAKER. The Clerk will read the report.

The report (by Mr. HEMENWAY) was read, as follows:

The Committee on Appropriations, to whom was referred Senate bill 5736, for the relief of citizens of the French West Indies, having considered the same, report it back herewith, and recommend its passage amended as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"To enable the President of the United States to procure and distribute among the suffering and destitute people of the islands of the French West Indies such provisions, clothing, medicines, and other necessary articles, and to take such other steps as he shall deem advisable for the purpose of rescuing and succoring the people who are in peril and threatened with starvation, the sum of \$300,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

"In the execution of this act the President is requested to ask and obtain the approval of the French Government, and he is hereby authorized to employ any vessels of the United States Navy and to charter and employ any other suitable steamship or vessel."

Mr. UNDERWOOD. Mr. Speaker, this comes up by unanimous consent, does it not?

The SPEAKER. It does.

Mr. UNDERWOOD. I wish to state that I am opposed to this bill and expect to vote against it. If the gentleman from Indiana will ask for consideration at the proper time, I will not object, but I think it ought to be discussed. It can not be discussed in the midst of a speech in relation to another matter, and I therefore ask the gentleman if he will not withdraw the request for the consideration of the bill for the present?

Mr. HEMENWAY. Mr. Speaker, I want to say if we are to tender this aid at all, it must be done promptly. These people are suffering, and they must be rescued promptly if rescued at all. While the gentleman from Alabama and others are discussing the bill before the Committee of the Whole, these people may be dying. If there is any reason why this bill tendering this aid should pass at all, it should be passed at once. I see no reason why it should not be discussed at this time if it needs to be discussed.

Mr. UNDERWOOD. Perhaps the gentleman from Indiana sees no reason why it should not be discussed, but I see reasons why I desire to state why the bill should not be passed.

The SPEAKER. The Chair will state that it is open now to a full discussion.

Mr. UNDERWOOD. Well, Mr. Speaker, if the House desires me to state my reasons why I do not think it is proper to pass the bill, I will state them now. I desire to vote against it. If it is a unanimous report by the committee of the House and the gentleman from Indiana will state that we shall dispense with the consideration of the bill before the committee for the time and will give an opportunity for discussing this, I am ready to give my reasons now.

Mr. HEMENWAY. That is what will be done if the bill is considered by unanimous consent.

The SPEAKER. The gentleman from Alabama desires to know if this is the unanimous report of the committee.

Mr. HEMENWAY. It is.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. Mr. Speaker, I understand the gentleman from Indiana says that he will yield the floor for a reasonable debate on this bill. I will state that I do not object, although I expect to vote against it.

The SPEAKER. The question is on the amendment recommended by the Committee on Appropriations.

Mr. HEMENWAY. Mr. Speaker, I will state to the House briefly that the amendment increases the amount from one to two hundred thousand dollars. In view of the President's message recommending \$500,000, the Committee on Appropriations have learned that very liberal contributions are being made by people in the United States; in fact, I have just been handed a letter by the gentleman from Maine [Mr. ALLEN] from J. H. Hamlin & Co., of Portland, Me., stating that they have wired a contribution of \$500. We find that liberal contributions are being made in other cities of the United States.

In view of that fact, we thought an appropriation of \$300,000 would be sufficient, and it is sufficient, no doubt, to relieve present distress. If it is found necessary, Congress can increase the amount later on; but what they want now is prompt action. The other change we make is that the vessels of the Navy are made available. The Senate resolution permitted the Secretary of War to use such transports as he had. We find that the Secretary of War has no transports on the Atlantic side that can be used, and so we give the President the authority to use vessels of the Navy in carrying out the provisions of the bill. I think it is proper that we should report the bill at this time, because delay is dangerous and this matter ought to be promptly passed. The Secretary of State has received the following telegram:

[Copy of telegram received plain.]

FORT DE FRANCE, May 11, 1902. (Received 10.05 p. m.)

SECRETARY OF STATE, Washington:

Disaster complete. City wiped out. Consul Prentiss and family dead. Governor says 30,000 dead, 50,000 homeless, hungry. Ask Red Cross codfish, flour, beans, rice, salt meats, biscuits, quick as possible. Visit of war vessels valuable.

AYMÉ, Consul, Martinique.

Mr. UNDERWOOD. Mr. Speaker—

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Alabama?

Mr. HEMENWAY. I do.

Mr. UNDERWOOD. Mr. Speaker—

Mr. FITZGERALD. Will the gentleman from Indiana [Mr. HEMENWAY] yield to me for a question before the gentleman from Alabama [Mr. UNDERWOOD] proceeds?

The SPEAKER. The gentleman from Indiana has yielded to the gentleman from Alabama, who has been recognized for fifteen minutes.

Mr. UNDERWOOD. Mr. Speaker, on Saturday last, when this bill came from the Senate, it was proposed that it should be taken up at once and considered by the House without going through the usual channels of consideration. I insisted that before action was taken by the House the bill should go to the Committee on Appropriations, where the matter could be investigated. I think such a course is proper with all propositions of this kind.

My objection at that time was not merely because I was opposed to the bill, but because I thought the usual course should be pursued under the circumstances. This morning the Committee on Appropriations have brought in a bill, agreed to unanimously by the Republican and Democratic members of that committee, declaring that, in the judgment of the committee, this appropriation should be made. I do not think it wise or expedient or proper to pass this class of legislation; but under the existing circumstances in this case, although I know my single objection might kill the bill, I am not willing to stand in the way of legislation and say that I must determine the question, not my colleagues on the floor of this House. Therefore I have not renewed my objection to the bill. But I wish to state why I intend to vote against it.

There is no man on the floor of this House who has more sympathy for those who are in suffering and distress than I have. I doubt whether there is a man within the sound of my voice whose heart does not go out in sympathy toward those poor suffering people. But there are thousands of suffering people throughout this world with whom we sympathize to-day and will in the future. We stand not here, my colleagues, to legislate on our sympathy or the impulse of our heartstrings. We stand here as the trustees of a great people, a generous people, a kind people, an impulsive people when distress stares them in the face. But because our constituency may open their hearts and yield to their impulses and be guided by that great, that divine principle of kind feeling and charity toward those who are in suffering and distress, does it mean that you and I, as the trustees of those people, should be reckless in our guardianship of the trust that has been delegated to us and left in our hands to administer? I think not.

Here are a people to the south of us, 1,600 miles from the coast of Florida, who have met with a fearful calamity. They are subjects of the Republic of France—a great nation, a powerful nation, a nation of wealth, a nation whose proud boast is that it has always taken care of its own people and is always able and willing to do so. The island of Martinique, where this great disaster has taken place, is surrounded by other islands belonging to the Republic of France. The public dispatches tell us to-day that there are vessels of that nation in that vicinity and that the French Chamber of Commerce has appropriated \$100,000, and has ordered those vessels to succor the distressed. The French nation is proceeding with her war vessels and her money to take care of her own people. She has not asked us to interfere in the matter.

If the Republic of France were unable to take care of her citizens, if she were in distress and needed our help, it might be another matter. But, my fellow-citizens, I say that we owe a duty to our own people, a higher duty than we owe to the people of France. Our own citizens to-day are raising funds from their own pockets to contribute aid to our suffering neighbors. It is right, it is generous, it is just that they should do so. It would be right and generous and just for you and me to go into our own pockets and take out our own money and send it to the needy and suffering citizens of France. We may be generous with our own money, but I ask you what right have we to be generous with the money of our constituencies to help a foreign people? I know of none.

Mr. ROBINSON of Indiana. I do not know whether the gentleman from Alabama [Mr. UNDERWOOD] voted to relieve the

reconcentrados in Cuba when that proposition was before the House, or whether he voted for the relief of the Galveston sufferers when that measure was pending here.

Mr. UNDERWOOD. I do not think I did.

Mr. ROBINSON of Indiana. I would like to know what the gentleman's idea is as to how far the brotherhood of man extends—whether in his opinion it is limited by territorial or international lines?

Mr. UNDERWOOD. My friend, I will say that the brotherhood of man, when the interests of man as an individual are involved, extends to the circumference of the universe; but when it is a government that is involved, when it is a public trust that is to be administered, a trust placed in our hands that we must administer with justice to our own people, it does not extend beyond the powers that have been granted to us.

Mr. KLEBERG. How is it possible for the American people to act in this emergency except through their Government and their chosen representatives here?

Mr. UNDERWOOD. Why, sir, the American people are acting to-day. The gentleman from Indiana [Mr. HEMENWAY] has stated that the American people, not the American Government, are raising subscriptions to aid those sufferers in a foreign land, and that can be properly and generously done, and if necessary, the aid thus contributed can be sent to them through our consular officers.

Mr. KLEBERG. How can the provisions or other necessary succor be sent to them except by the Government—in ships of the Government?

Mr. UNDERWOOD. When Congress, some years ago, provided (not with my vote) for sending relief to the starving people of India, the citizens contributing relief hired vessels, and the Government itself hired vessels, for sending that relief. That is what is being done now.

Mr. McDERMOTT. Will the gentleman yield for a question?

Mr. UNDERWOOD. Certainly.

Mr. McDERMOTT. There are probably now among the 70,000,000 people of the United States two or three million who are too mean to contribute. Is there any other way of making them contribute except by taking it out of the National Treasury? [Laughter.]

Mr. UNDERWOOD. Well, my friend, I have no desire to make that man by force of law contribute that is too mean to sympathize and feel sorrow for suffering humanity about him when he can go down in his own pocket and pay for it, and I say that if the men on the floor of this House who want to show their sympathy for a suffering people will go down in their own pockets and foot the bill that they will be properly expressing the sympathy they have in this matter instead of taking the money out of the pockets of their constituents to pay the bill, whether their constituents like it or not.

Now, I say, in the next place, that I do not believe that this is a dignified course for a great nation like this to pursue. I think it would have been very proper and very right for the President of the United States, immediately on hearing of the disaster at Martinique, to have telegraphed the American ambassador at Paris to express to the President of the French Republic our sincere sympathy in the great calamity that had happened to his people. Nay, I would go further than that. If our war vessels were lying off that coast and it was necessary to have ships to save the lives of those people and get them away from that burning lava, I would not have asked Congress, but I would have ordered the vessels in there to take them off that day and hour. That would have been proper and that would have been a case of emergency; but when you say that we must express our sympathy to those people by going into the pocket of somebody else and making them pay for our sympathy I can not say that I believe that that is the duty of a member of this House.

Mr. JENKINS. Now, Mr. Speaker, I would like to ask the gentleman a question, if the gentleman from Alabama will yield.

Mr. UNDERWOOD. I will.

Mr. JENKINS. I understand the gentleman from Alabama predicates his objection on general principles, and not on constitutional grounds.

Mr. UNDERWOOD. Oh, well, I will say that I do not think that the Government has that power, but I am not arguing a constitutional question here.

Mr. JENKINS. Well, I want to know what benefit it would be to those unfortunate people for the President of the United States to telegraph his condolence.

Mr. UNDERWOOD. Why, it would not be any benefit to the unfortunate people, but it would be a proper expression to the Republic of France of our sympathy. But why can not the French Republic take care of its own people? It is proceeding to do so. It has not asked us to do so.

Mr. JENKINS. Does not the gentleman from Alabama understand that this is the greatest and foremost nation in the world

and that we propose to be foremost on all of these great questions, and that we have got lots of money and it is not coming out of the pockets of the poor people that the gentleman from Alabama represents? The people of the United States are ready and willing to do their duty on great occasions of this kind without reference to the Constitution or the view of the gentleman from Alabama.

Mr. UNDERWOOD. If the gentleman will not make a speech in my time, I will be very much obliged.

Mr. JENKINS. I will not make a speech in the gentleman's time; but this is a matter of immediate importance. If we propose to help those unfortunate people, we must do it now.

Mr. UNDERWOOD. I thank the gentleman for his speech in the belly of mine, but I did not yield for that purpose.

Mr. HILDEBRANT. That is the best part of the speech.

Mr. UNDERWOOD. What I say is that this is not the proper way for us to take care of other people. I know there are hundreds of men in this House—perhaps hundreds are too many, but there are many men in this House—able gentlemen, honest men, men of large hearts and conscience, men that believe just as does the gentleman from Wisconsin, that we are a great nation and that we have great power to raise money by taxation; that we have an overflowing Treasury, and that we ought to distribute it to all mankind, but I do not believe that I was elected here for that purpose. I do not expect to prevent the passage of this bill, but in my own humble capacity I desire to say that I do not believe it is right to express our sympathy or our sorrow with the money of our constituents, and I do not think it is a dignified course for this Government as a government to pursue.

The SPEAKER. The question is on agreeing to the amendment.

Mr. HEMENWAY. Mr. Speaker—

Mr. GROSVENOR. Mr. Speaker—

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Ohio?

Mr. GROSVENOR. Mr. Speaker, I rose merely to demand the yeas and nays upon the main question and not upon the amendment.

Mr. McRAE. Mr. Speaker—

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Arkansas?

Mr. McRAE. I want only a couple of minutes.

Mr. HEMENWAY. I yield the gentleman two minutes.

Mr. McRAE. Mr. Speaker, when calamity comes down soul rises up. The hearts of our people have been deeply touched by the awful disaster that has befallen the people of this unfortunate island. In the presence of such great desolation we should not stop to draw nice constitutional distinctions. We have precedents, and that is enough for me. I have respect for those who have misgivings as to the power of the Government to grant such aid, and I shall have no quarrel with them, but I am glad that I can feel in my own consciousness that my Government has the disposition and power to act in an emergency like this, and can extend not only its sympathy, but substantial relief to the sufferers of a sister Republic. [Loud applause.] I would like to see this resolution pass unanimously, but if it can not be my pleasure to see that, I hope at least that it will pass promptly and let these poor, unfortunate people who are suffering as no people have within the life of any man now living receive the benefit of our beneficence.

Mr. HEMENWAY. I yield one minute to the gentleman from Georgia [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, this is the unanimous action of the Committee on Appropriations. It is the custom of this country, and has been since the day that we have had a Republic, to do just this thing, and I should hate to see this country turn back upon its record and fail to meet the wants of suffering humanity, whether in the island of Martinique or whether in the uttermost parts of the earth, wherever it may be, and I hope this House will, without a dissenting voice, vote for this appropriation. [Applause.]

The SPEAKER. The question is on agreeing to the amendment in the nature of a substitute.

Mr. FITZGERALD. Mr. Speaker, will the gentleman permit an amendment to make it \$500,000, in accordance with the request of the President?

Mr. HEMENWAY. This is the unanimous action of the Committee on Appropriations, and I can not yield for that purpose. I hope there will be no further discussion.

The amendment was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GROSVENOR. Mr. Speaker, I demand the yeas and nays.

Mr. BALL of Texas. I hope the gentleman will withdraw the request. We do not want any politics in this.

The SPEAKER. The gentleman from Ohio demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until they can be counted.

Thirty members having risen,

The SPEAKER. Does anyone demand the other side?

Mr. JENKINS. I demand the other side, Mr. Speaker.

The other side being taken, 103 members rose in opposition to the demand.

The SPEAKER. Thirty members, a sufficient number, having risen, the yeas and nays are ordered. The question is on the passage of the joint resolution.

The question was taken; and there were—yeas 197, nays 9, answered "present" 11, not voting 134, as follows:

YEAS—197.

Adams,	Driscoll,	Lever,	Roberts,
Adamson,	Eddy,	Lewis, Pa.	Robinson, Ind.
Alexander,	Edwards,	Littlefield,	Robinson, Nebr.
Allen, Ky.	Evans,	Livingston,	Rucker,
Allen, Me.	Fitzgerald,	Lloyd,	Ruppert,
Ball, Tex.	Flood,	Long,	Russell,
Bankhead,	Foster, Vt.	Loudenslager,	Ryan,
Barnes,	Fox,	Lovering,	Scarborough,
Bates,	Gardner, Mich.	McCleary,	Schirm,
Beidler,	Gibson,	McCulloch,	Scott,
Bell,	Gillet, N. Y.	McDermott,	Shafroth,
Bellamy,	Glenn,	McLachlan,	Shallenberger,
Bishop,	Gooch,	McLain,	Shattuc,
Blackburn,	Gordon,	McRae,	Showalter,
Blakeney,	Graft,	Mahoney,	Sibley,
Boutell,	Graham,	Mann,	Sims,
Powersock,	Green, Pa.	Marshall,	Skiles,
Brantley,	Griffith,	Martin,	Smith, Ill.
Breazeale,	Griggs,	Maynard,	Smith, Iowa
Brick,	Grosvenor,	Mercer,	Smith, Ky.
Bristow,	Grow,	Miers, Ind.	Smith, S. W.
Brundidge,	Haskins,	Miller,	Smith, Wm. Alden
Bull,	Hay,	Mondell,	Southard,
Burke, S. Dak.	Heatwole,	Moody, N. C.	Sperry,
Burkett,	Hemenway,	Moody, Oreg.	Spight,
Butler, Mo.	Henry, Conn.	Morgan,	Stark,
Butler, Pa.	Hepburn,	Morris,	Stewart, N. Y.
Calderhead,	Hildebrandt,	Mudd,	Sulzer,
Capron,	Hill,	Needham,	Swanson,
Clark,	Hitt,	Neville,	Taylor, Ohio
Cochran,	Holliday,	Nevin,	Thayer,
Conry,	Hooker,	Newlands,	Thomas, Iowa
Cooney,	Howard,	Norton,	Tirrell,
Cooper, Wis.	Jenkins,	O'Brien,	Tompkins, Ohio
Corliss,	Jett,	Overstreet,	Trimble,
Cramer,	Johnson,	Padgett,	Van Yver,
Cromer,	Jones, Va.	Palmer,	Van Voorhis,
Crumpacker,	Jones, Wash.	Parker,	Veeland,
Currier,	Kehoe,	Payne,	Wanger,
Curtis,	Ketcham,	Pou,	Warnock,
Dalzell,	Kieberg,	Powers, Me.	Watson,
Davidson,	Kluttz,	Powers, Mass.	Weeks,
Davis, Fla.	Kyle,	Ransdell, La.	White,
Dayton,	Lacey,	Ray, N. Y.	Williams, Ill.
De Armond,	Landis,	Reeder,	Wilson,
Decmer,	Lassiter,	Reid,	Woods,
Dick,	Latimer,	Reeves,	Wooten.
Dinsmore,	Lawrence,	Richardson, Ala.	
Dougherty,	Lessler,	Richardson, Tenn.	
Draper,	Lester,	Robb,	

NAYS—9.

Burgess,	Lanham,	Snodgrass,	Underwood,
Clayton,	Moon,	Tate,	Williams, Miss.
Gaines, Tenn.			

ANSWERED "PRESENT"—11.

Bartlett,	Cowherd,	McClellan,	Talbert,
Coombs,	Jackson, Kans.	Small,	Young.
Cooper, Tex.	Kitchin, Wm. W.	Stephens, Tex.	

NOT VOTING—134.

Acheson,	Dovener,	Joy,	Rixey,
Aplin,	Elliott,	Kahn,	Robertson, La.
Babcock,	Emerson,	Kern,	Rumple,
Ball, Del.	Esch,	Kitchin, Claude	Selby,
Bartholdt,	Feely,	Knapp,	Shackleford,
Belmont,	Finley,	Knox,	Shelden,
Benton,	Fleming,	Lamb,	Sherman,
Bingham,	Fletcher,	Lewis, Ga.	Slayden,
Boreing,	Foerderer,	Lindsay,	Smith, H. C.
Bowie,	Fordney,	Littauer,	Snook,
Brownwell,	Foss,	Little,	Southwick,
Broussard,	Foster, Ill.	Loud,	Sparkman,
Brown,	Fowler,	McAndrews,	Steele,
Brownlow,	Gaines, W. Va.	McCall,	Stevens, Minn.
Burk, Pa.	Gardner, N. J.	Maddox,	Stewart, N. J.
Burleigh,	Gilbert,	Mahon,	Storm,
Burleson,	Gill,	Metcalf,	Sullivan,
Burnett,	Gillett, Mass.	Meyer, La.	Sutherland,
Burton,	Goldfogle,	Mickey,	Tawney,
Caldwell,	Greene, Mass.	Minor,	Taylor, Ala.
Candler,		Morrell,	Thomas, N. C.
Cannon,		Moss,	Thompson,
Cassel,		Mutchler,	Tompkins, N. Y.
Cassingham,		Naphe,	Tongue,
Connell,		Olmsted,	Wachter,
Conner,		Patterson, Pa.	Wadsworth,
Cousins,		Patterson, Tenn.	Warner,
Crowley,		Pearre, Md.	Wheeler,
Cushman,		Perkins,	Wiley,
Dahle,		Pierce, Tenn.	Wright,
Darragh,		Prince,	Zenor.
Davey, La.		Pugsley,	
De Graffenreid,		Randell, Tex.	
Douglas,		Rhea,	

So the bill was passed.

The following pairs were announced:

Until further notice;

Mr. GILLET of Massachusetts with Mr. NAPHEN.

Mr. METCALF with Mr. WHEELER.

Mr. BROWNLOW with Mr. PIERCE.

Mr. WACHTER with Mr. SMALL.

Mr. GILL with Mr. McANDREWS.

Mr. SKILES with Mr. TALBERT.

Mr. STEELE with Mr. COOPER of Texas.

Mr. EMERSON with Mr. GILBERT.

Mr. TAWNEY with Mr. COWHERD.

Mr. FOSS with Mr. MEYER of Louisiana.

Mr. MOSS with Mr. PUGSELEY.

Mr. JACK with Mr. FINLEY.

Mr. HENRY C. SMITH with Mr. TAYLOR of Alabama.

Mr. SUTHERLAND with Mr. JACKSON of Kansas.

For the balance of the session:

Mr. WANGER with Mr. ADAMSON.

Mr. BROMWELL with Mr. CASSINGHAM.

Mr. KAHN with Mr. BELMONT.

Mr. YOUNG with Mr. BENTON.

Mr. COOMBS with Mr. DAVEY of Louisiana.

Mr. WRIGHT with Mr. HALL.

Mr. McCALL with Mr. ROBERTSON of Louisiana, until Tuesday.

For this day:

Mr. BURK of Pennsylvania with Mr. RHEA of Virginia.

Mr. IRWIN with Mr. SHEPPARD.

Mr. HOWELL with Mr. CLAUDE KITCHIN.

Mr. HULL with Mr. LAMB.

Mr. DOVENER with Mr. SHACKLEFORD.

Mr. FOWLER with Mr. BARTLETT.

Mr. SHERMAN with Mr. BURLESON.

Mr. MORRELL with Mr. GOLDFOGLE.

Mr. WADSWORTH with Mr. HENRY of Mississippi.

Mr. JOY with Mr. MADDOX.

Mr. WARNER with Mr. WILEY.

Mr. TOMPKINS of New York with Mr. THOMPSON.

Mr. SULLOWAY with Mr. THOMAS of North Carolina.

Mr. LITTAUER with Mr. LINDSAY.

Mr. STEVENS of Minnesota with Mr. SELBY.

Mr. MAHON with Mr. LITTLE.

Mr. RUMPLE with Mr. RIXEY.

Mr. PERKINS with Mr. RANDELL of Texas.

Mr. PEARRE with Mr. MICKEY.

Mr. MINOR with Mr. PATTERSON of Tennessee.

Mr. HEDGE with Mr. KERN.

Mr. HANBURY with Mr. HENRY of Texas.

Mr. GREENE of Massachusetts with Mr. FOSTER of Illinois.

Mr. FORDNEY with Mr. FLEMING.

Mr. FOERDERER with Mr. FEELY.

Mr. ESCH with Mr. ELLIOTT.

Mr. DARRAGH with Mr. DE GRAFFENREID.

Mr. COUSINS with Mr. CROWLEY.

Mr. CROMER with Mr. CANDLER.

Mr. BURTON with Mr. CALDWELL.

Mr. BURLEIGH with Mr. BOWIE.

Mr. BINGHAM with Mr. BURNETT.

Mr. BARTHOLDT with Mr. BROUSSARD.

Mr. BALL of Delaware with Mr. ZENOR.

Mr. BABCOCK with Mr. MUTCHLER.

Mr. ACHESON with Mr. SNOOK.

Mr. FLETCHER with Mr. SPARKMAN.

On this vote:

Mr. SOUTHWICK with Mr. WILLIAM W. KITCHIN.

Mr. CANNON with Mr. McCLELLAN.

Mr. SHELLEN with Mr. SLAYDEN.

Mr. JONES of Virginia. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in his place and watching

when his name was called?

Mr. JONES of Virginia. Yes, sir.

The SPEAKER. And did not hear? Call the name of the gentleman from Virginia.

The name of Mr. JONES of Virginia was called, and he voted "yea."

Mr. RICHARDSON of Alabama. Mr. Speaker, I understand the Clerk read my name as being paired with the gentleman from Minnesota [Mr. FLETCHER].

The SPEAKER. The gentleman is paired, as the Chair is informed.

Mr. RICHARDSON of Alabama. That is a mistake. That pair does not apply, as I understand it, to anything except the admission of the Territories.

The SPEAKER. The pair is withdrawn on the statement of the gentleman.

Mr. RICHARDSON of Alabama. I want to vote "yea" on this question.

Mr. GROSVENOR. It is announced that I am paired with Mr. SNOOK. It is a mistake.

The SPEAKER. What was the statement of the gentleman from Alabama?

Mr. RICHARDSON of Alabama. I say that my understanding is that my pair does not apply to this question, and I vote "yea."

Mr. GROSVENOR. I am in exactly the same fix. My pair with the gentleman from Ohio [Mr. SNOOK] does not apply to this vote. I voted "yea."

The SPEAKER. The gentleman from Alabama voted "yea."

Mr. RICHARDSON of Alabama. I voted "yea."

Mr. GROSVENOR. I voted "yea." I stated that it was announced at the desk that I was paired with the gentleman from Ohio [Mr. SNOOK].

The SPEAKER. The pair is withdrawn.

Mr. GROSVENOR. I voted "yea."

The SPEAKER. The Chair is so advised.

Mr. CROMER. Mr. Speaker, I was paired with the gentleman from Indiana, Mr. ZENOR, but not on this question. I voted "yea."

The SPEAKER. Does the gentleman desire his pair withdrawn?

Mr. CROMER. Yes, sir.

The SPEAKER. The pair will be withdrawn.

The result of the vote was then announced as above recorded.

On motion of Mr. HEMENWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

WASHINGTON AND GEORGETOWN GASLIGHT COMPANIES.

Mr. JENKINS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13405) authorizing the Washington Gaslight Company to purchase the Georgetown Gaslight Company, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be closed at half past 4.

The SPEAKER. The gentleman from Wisconsin moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill, H. R. 13405, and pending that, asks that general debate be closed at half past 4. Is there objection?

Mr. UNDERWOOD. I understand, Mr. Speaker, that will not interfere with my having a part of the time.

Mr. JENKINS. The gentleman from Alabama is to have ten minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question now is on the motion of the gentleman from Wisconsin.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HASKINS in the chair.

Mr. UNDERWOOD. Mr. Chairman, some hour or more ago I was engaged in discussing a proposition in reference to gas. In the meantime we have taken several voyages across the ocean, and I am not sure whether I can pick up the broken remarks at the point where I left off or not.

I want to say in conclusion, in the very few minutes that I have, that I believe the reason why we ought to vote against this bill and the vicious part of this bill, is the increase of the \$11,000,000 worth of capital stock that goes into the pockets of the owners of this gas company. I have already pointed out the enormous dividends that have been received by these stockholders, which show that they have increased the plant, as the city grew, without any cost to them. They have made money out of it, until they claim that this stock is able to pay a dividend not on \$2,750,000 capitalization, the amount it was originally capitalized at, but on \$13,750,000.

Mr. WILLIAMS of Mississippi. May I ask the gentleman a question?

Mr. UNDERWOOD. Certainly.

Mr. WILLIAMS of Mississippi. I understand the amount of money that the company has actually spent in paying for the present plant and the improvements to be about \$5,000,000. Will the gentleman from Alabama vote for an amendment and for the bill afterwards if the amendment was adopted, fixing the capital stock at \$5,000,000?

Mr. UNDERWOOD. I will state that if the stockholders of this company have paid out and invested \$5,000,000 and have got that as representing their money in this corporation, I should be willing to capitalize it at that amount. But if the capitalization and the value of this property instead of depending on the money that these stockholders have put into it depends on the value of

this franchise, and on account of the franchise it makes it worth \$5,000,000, I would not vote for it. In other words, I do not believe that we have any right to capitalize a franchise for the benefit of the gas stockholders, because I believe that the franchise belongs to the people of the District of Columbia.

Mr. WILLIAMS of Mississippi. My question did not involve the capitalization of the franchise; it is the cost of the improvements and the original work.

Mr. UNDERWOOD. If it has been invested by the stockholders, I have no objection to their having a proper capitalization of the amount of money they have actually invested, and more than that, I believe they ought to receive a proper interest on that investment. I believe that the price of gas ought to be fixed so that they can receive a proper interest on that investment. But what I am complaining of is that without the actual investment of money being represented they are seeking to water this capital stock, and then receive dividends on it in place of the smaller capitalization. They want to do that so that in the future years it will be impossible for Congress to cut down the price of gas in the District of Columbia, because they will say that it is necessary for us to charge a dollar a thousand for gas in order for us to pay a fair dividend on the capital that has been issued by the Congress itself to these stockholders, and Congress in the future days will be estopped from saying that it has the right to reduce the price of gas for the people of the District of Columbia.

Now, that is the whole case in a nutshell. It is merely an effort on the part of the stockholders to put the capitalization of this company at a point where under the law and decisions of the court it will be beyond the power of Congress in the future to reduce the price of gas to the people of this District, and I am opposed to this bill for that reason. [Applause.]

Mr. Chairman, I reserve the balance of my time.

Mr. JENKINS. Mr. Chairman, I want to say that I regret very much that the chairman of this committee, who has had this matter in immediate and close consideration for years, is not able on account of his health to be present. If it was possible, he would be here in person defending this bill. He has asked me, on account of his inability to be present, to present a few ideas in support of this bill. I regret and have been surprised at the wild and exaggerated statements that have been made here upon this floor in opposition to this bill. It seems to me that whenever a corporation presents itself here on any question it gives every gentleman a desire to make himself popular with his people and to meet and oppose the progress of the pending measure.

Mr. WILLIAMS of Mississippi. Will the gentleman allow me a question?

Mr. JENKINS. Certainly.

Mr. WILLIAMS of Mississippi. I understand that the amount of money actually invested in this original plant and its subsequent extension and improvements is about \$5,000,000, leaving the franchise out of the question. Why not, then, in the bill fix the amount of capitalization at \$5,000,000?

Mr. JENKINS. I will say to the gentleman that there are several gentlemen who desire to offer an amendment, and if the gentleman from Mississippi desires, there will be no objection as far as the committee is concerned.

Mr. WILLIAMS of Mississippi. That is what I wanted to know, whether it would be objected to by the committee.

Mr. JENKINS. Not in the least. Now, let me call attention to the facts in this case, so that every gentleman who desires to represent his constituents honestly and fairly on this floor can act.

Now, there are two gaslight companies within the jurisdiction of Congress. One is the Washington Gaslight Company, with a capitalization of 130,000 shares, the face value of which is \$20 a share, the total amount being \$2,600,000. Then there is the Georgetown Gas Company, with a capitalization of 6,000 shares, the face value of which is \$25 a share, and with a total capitalization of \$150,000. Now, those two companies simply come here to Congress to ask permission to consolidate. That is the only favor they need ask from Congress. Every other matter provided for in this bill could be obtained under the general law without coming to Congress. They have repeatedly said that they did not propose to make a single move here, so far as they were concerned, without the approval of Congress, because they were so much under the direction of Congress. They simply propose in their bill that the total capitalization shall not exceed 130,000 shares and that the value of their property shall be ascertained in any way which may be satisfactory to Congress.

It does not make any difference what proposition is made here for the purpose of determining the value of these properties. There is no gentleman on the committee—representing the majority of the committee or representing the gentlemen in the company—who will oppose any measure looking to a fair valuation.

It seems to me, Mr. Chairman, that every possible opportunity has been presented here for any gentleman who is opposed to corporations to make a direct attack upon this institution. It is

true that it started in here years and years ago under adverse circumstances. I want to know why it is that because a number of gentlemen see fit to pool their earnings and enter into an enterprise that is of value to the public they should be antagonized by Representatives in Congress or in State legislatures.

These gentlemen have put in their money in good faith; they put it in for the purpose of investment, not for the purpose of losing money. And they have added to the value of the property of this country and this city. They have spent hundreds of thousands of dollars in the interest of labor. They have spent over \$25,000 a mile for as many miles of street improvement in this city. Yet my friend from Missouri says that it costs only \$4,000 a mile to do this work. There are many streets in this city that require two pipes, one on each side, and I am assured, within a few hours, by honorable and reputable gentlemen representing that company that it cost them \$25,000 a mile in the city of Washington to put in their improvements.

There is not a single gas consumer in the city of Washington, there is not a single stockholder of either of these companies who has come before Congress and asked any politician to help them or to protest that their interests are at stake or in danger—not a single man. And when they talk here about this matter having been "rushed" through the committee they know they are perpetrating a falsehood upon this House; and I am prepared to deny it.

The gentleman from Missouri has fairly and honestly stated this matter—that this bill has been pending before this committee for upward of three years. Every gentleman here has been well fortified with information on this subject. How is it with the gentleman from New York, who says he has been denied the privilege of exploiting himself on this bill? He has been furnished with every single piece of information that is absolutely inaccurate and absolutely false, so far as the facts are concerned. Every gentleman on this committee who has been a member of it for years has given this question most earnest consideration, and these members have testified their approval of this bill by signing the report. Not content to shield themselves behind the action of the chairman of the committee, they have individually signed the report, because, Mr. Chairman, this measure is for the interest of every gas consumer in the district.

The people of Georgetown have been before us unanimously and earnestly asking us for the passage of this bill. I never saw a single director of this company. I would not know Mr. McLean if I met him on the street. When gentlemen say they have been importuned by gentleman representing this company it is because of their weakness, not because of their strength in this House. No man has approached me since this matter has been pending in the committee. When it was presented to me I realized the situation in a moment.

There are two gas companies—one in Washington and one in Georgetown. They say, "Let us consolidate and we will reduce the price of gas in Georgetown 25 cents per thousand feet; we will put Georgetown in this respect on an equality with the people of Washington, who are paying \$1 per thousand feet."

Five years ago Congress investigated this question very carefully and with great deliberation. We compared the price of gas in Washington with the price in every other place in the United States and came to the conclusion that the price here should be reduced, and it was reduced to \$1 per thousand feet, with a requirement of 25 candlepower.

And here is a gentleman from Missouri standing here to-day opposing this measure when he knows very well that he was the mayor of Kansas City when this question was under consideration and that we are giving the people of Washington to-day a better quality of gas at a less rate than any other place in the United States. No gentleman on this floor can deny that.

Mr. COWHERD rose.

Mr. JENKINS. I yield, of course, to the gentleman from Missouri [Mr. COWHERD].

Mr. COWHERD. I understood the gentleman to say something in regard to me—

Mr. JENKINS. No; I am not saying anything with reference to the gentleman from Missouri. He must not be too sensitive. I am speaking of the price of gas in his place. I say the people there are receiving a poorer quality of gas and are paying a higher rate than the people here in the District of Columbia. It is conceded by every gentleman on this floor—it is shown by every fact that has been presented to us—that the price of gas in Washington is cheaper and the quality better than in any place in the United States.

And I want to know why gentlemen should be making a direct attack upon this institution. As I have said, I do not know a single officer of the company. No man has approached me, because he knew it would not be safe for him to do so. The proposition comes up here before us as a business proposition. These companies say, "Allow us to consolidate these two companies,

and we will give the people of Georgetown gas for 25 cents a thousand less than they are paying now."

We will put them on an equality with the people of Washington. The people of Washington had this matter carefully and fully investigated by a committee of this Congress and they advised and recommended, and this Congress approved of it, a gradual reduction in the price of gas, and that took place here until they have got to-day dollar gas, cheaper than any other place in the United States, and 25 candlepower, while gentlemen here know they are representing a constituency that is charging \$1.60 for 16-candlepower gas. Now, Mr. Chairman, I appreciate that it is popular to-day to attack these institutions, but I am governed only by a business proposition. They say it was hurried through the committee. Those gentlemen know they are not stating the facts. The gentleman from Missouri [Mr. COWHERD], who has been an honored and respected member of this committee for years, says this proposition has been pending before this committee for over four years.

Mr. PAYNE. He said two years.

Mr. SIMS. Mr. Chairman, the gentleman is talking about misrepresentations. I know the gentleman would not misrepresent anything himself, and I do not think he would charge anyone else with misrepresentation, unless he was justified. I would like to ask him if it is not a fact that I pleaded with that committee to put off the report of this bill until Mr. COWHERD should come back from Kansas City, because he is a practical man, and did not the gentleman vote it down?

Mr. JENKINS. Let me answer that, and let this House understand it and the country understand it. My friend from Missouri wanted to go home to secure his election, and the committee was asked to postpone a matter of great importance to give him an opportunity to come back here, and every Republican in this Congress is perfectly willing to indorse him; that if a man has got to come from Kansas City, they want Mr. COWHERD and no one else; but the gentleman proposed to postpone business and I had only one vote, like my friend the gentleman from Tennessee [Mr. SIMS]. It made no difference to me. It is well known that the chairman of that committee was sick. He wanted to make a report.

This matter has been pending for four years before the committee, and when they undertake to say it was hurried through the committee they do not want to stand up here in the face and eyes of my statement and oppose that statement. They know there was nothing rushed through that committee. It was carefully considered. Every man on that committee knew all about it, and my friend from Missouri and my friend from Tennessee [Mr. SIMS] will join me in saying that for three months they have stayed out of church and Sunday school to hunt up villainous objections to this proposition, that they ought not to find fault with, or less fault with, because we have taken this matter up and asked for prompt consideration.

Mr. SIMS. Mr. Chairman, let me make just this suggestion. If there is anything on earth that would justify a man in staying away from Sunday school and church it would be to fight such a bill as this. [Prolonged laughter.]

Mr. JENKINS. I know my friend abhors a corporation.

Mr. SIMS. Oh, no.

Mr. JENKINS. And I appreciate it. I know he is absolutely afraid of everything that has corporate qualities, but yet when I invited him in a previous Congress to put these corporations under his control, he voted against it. He is only consistent when he is voting for the Methodist Church to rob the Treasury of the United States. [Prolonged laughter.] The people of this District have no interest in this question. When the people of this District come up here, Mr. Chairman, and ask that we reduce the price of gas, I will be with them, as I have always been with them.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to ask the gentleman a question. What I want to know is this: In the report of the minority they declare this proposition is to increase the capital stock of the consolidated company from \$2,750,000 to \$13,750,000, an increase of \$11,000,000, unrepresented by a single additional dollar of cash or property. Is that true?

Mr. JENKINS. If my friend had been in this House he would have heard all of these things refuted some time ago. I have not time to refute them to-day. Everybody knows there is not an element of truth in that statement, simply because this corporation says that they are willing that this House should adopt any measure that will fix the capitalization at the value of their property, and we want to yield to the gentleman from Maine for the purpose of offering an amendment which we will not object to, as to fixing the capitalization at anything relative to the value of that property.

The CHAIRMAN. The time for general debate has expired, and the Clerk will report the bill.

The Clerk read the enacting clause.

Mr. COWHERD. Mr. Chairman, I desire to move to strike out the enacting clause. I believe it is in order after the reading of the enacting clause.

Mr. JENKINS. Mr. Chairman, I do not think that motion is in order at this time.

The CHAIRMAN. The Chair rules that the section should be first read.

Mr. COWHERD. I thought it was in order after the reading of the enacting clause.

The CHAIRMAN. The enacting clause is a part of the first section. The Clerk will proceed.

The Clerk read as follows:

Be it enacted, etc., That in order that illuminating gas may be furnished to the citizens of the District of Columbia at a uniform rate, the Washington Gaslight Company, upon the assent of a majority in value of the stockholders, is hereby authorized to contract for, purchase, own, hold, and enjoy the whole or any part of the capital stock of the Georgetown Gaslight Company, or is hereby authorized to contract to purchase, or purchase, the property, including plant, distributing plant, rights, effects, and franchises of the Georgetown Gaslight Company, and upon payment and delivery of the consideration agreed upon the same may be owned, held, and enjoyed by the Washington Gaslight Company as fully and entirely as the same were held and enjoyed by the Georgetown Gaslight Company, and shall be managed and controlled by the board of directors of the Washington Gaslight Company; and each such company is hereby empowered to enter into such contract of sale, or sale, through its board of directors, if the said contract of sale, or sale, has received the approval of a majority in value of the stockholders of said companies; and to enable the Washington Gaslight Company to pay for the stock or the purchase of the Georgetown Gaslight Company it is hereby authorized to issue at par a sufficient amount of its capital stock, which amount of stock so issued may equal in par value, but shall not exceed in par value, the actual value of the capital stock of the said Georgetown Gaslight Company, or of so much as may be purchased, such actual value to be determined by the market price thereof at the date of the enactment of this bill: *And provided further,* That no action or proceeding to which the Georgetown Gaslight Company may be a party shall thereby abate, but the same may be continued against said company unless the court in which said action may be pending shall order the said Washington Gaslight Company to be substituted as party thereto.

Mr. COWHERD. Mr. Chairman, I move to strike out the enacting clause, and I want to say to the House that I make that motion at this time to test the sense of the House. If the majority of the House agrees with the minority of the committee that this bill should be entirely defeated, this is a quick and easy way to do it. If they do not agree with us, then it gives us an opportunity to amend it hereafter.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I want to offer an amendment to perfect the bill. Does not that take precedence of the motion of the gentleman from Missouri?

The CHAIRMAN. The Chair holds that a motion to strike out the enacting clause takes precedence over all other motions.

Mr. JENKINS. Mr. Chairman, I simply want to be heard on the point of order, to say that the motion to strike out the enacting clause is not in order at this time until the bill has been considered. After the consideration of the bill a motion of that kind would be in order, but at the same time I have no quarrel with my friend from Missouri with reference to testing the House at this time. If the House is of opinion that the enacting clause should be stricken out, I yield to that, but I do not agree to the opinion of the gentleman from Missouri that a motion of that kind is in order at this time.

Mr. HILL. Mr. Chairman, I desire to call the attention of the Chair to ruling on page 472, which perhaps differentiates this motion from an ordinary motion.

A special order having been made in the House that certain procedure should be taken, the ruling here seems to be the special order providing that the bill should be open to amendments in Committee of the Whole, that that special order would prevent a motion to strike out the enacting clause; but if it had been under different circumstances, I presume the motion would have been in order.

Mr. COWHERD. There was no special order in this case.

The CHAIRMAN. The Chair will inform the gentleman from Connecticut that there was no special order made in this case.

Mr. HILL. "The gentleman from Connecticut" understood that the House in open session voted to go into Committee of the Whole to consider this bill with a fixed time for general debate, and then to be taken up under the five-minute rule.

The CHAIRMAN. There was no such order. The question now is on the motion of the gentleman from Missouri [Mr. COWHERD] to strike out the enacting clause.

The question being taken, on a division (demanded by several members) there were—ayes 99, noes 40.

Accordingly the motion was agreed to.

Mr. COWHERD. Mr. Chairman, I move that the committee do now rise and report to the House its action in striking out the enacting clause of the bill.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HASKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13405) au-

thorizing the Washington Gaslight Company to purchase the Georgetown Gaslight Company, and for other purposes, and had directed him to report the same back to the House with the recommendation that the enacting clause of the bill be stricken out.

The SPEAKER. The question is on concurring in the recommendation of the committee.

The recommendation of the committee was concurred in.

On motion of Mr. COWHERD, a motion to reconsider the last vote was laid on the table.

ANNA ELIZA ISABELLA VON HEMERT.

By unanimous consent, the Committee on Claims was discharged from the further consideration of the bill (S. 5587) for the relief of Anna Eliza Isabella Von Hemert, and the same was referred to the Committee on the District of Columbia.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5718. An act providing for the sale of sites for manufacturing or industrial plants in the Indian Territory—to the Committee on Indian Affairs.

S. 4765. An act granting an increase of pension to Hugh R. Rutledge—to the Committee on Pensions.

S. 2653. An act granting an increase of pension to Joshua Weaver—to the Committee on Invalid Pensions; and

S. 2375. An act granting an increase of pension to Daniel Ridinger—to the Committee on Invalid Pensions.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

H. R. 53. An act for the protection of cities and towns in the Indian Territory, and for other purposes;

H. R. 2436. An act granting an increase of pension to James W. Roath;

H. J. Res. 189. Joint resolution making an additional appropriation for expenses of the dedication of the statue of Marshal Rochambeau to be unveiled in the city of Washington;

H. R. 4622. An act granting a pension to Frank W. Lynn;

H. R. 7901. An act granting a pension to Dewitt Clinton Letts;

H. R. 7840. An act granting an increase of pension to Oliver Kerr;

H. R. 7507. An act granting increase of pension to James M. Ashley;

H. R. 2486. An act granting an increase of pension to William Matthews;

H. R. 3277. An act granting a pension to Frances J. Abercrombie;

H. R. 3756. An act granting an increase of pension to James C. G. Smith;

H. R. 4927. An act granting a pension to George Tucker;

H. R. 5110. An act granting increase of pension to William H. Dixon;

H. R. 4993. An act granting a pension to Mary Shelton Huston;

H. R. 8351. An act granting a pension to Matthew V. Ellis;

H. R. 8788. An act granting increase of pension to Jacob Weidel;

H. R. 8016. An act granting increase of pension to Hannibal C. St. Clair;

H. R. 8913. An act granting increase of pension to Rachel S. Lyman;

H. R. 9156. An act granting increase of pension to Uriah Garber;

H. R. 9777. An act granting a pension to Helen F. Lasher;

H. R. 9819. An act granting increase of pension to Robert A. Pinn;

H. R. 10122. An act granting increase of pension to John S. Burket;

H. R. 10496. An act granting a pension to James T. Steele;

H. R. 10396. An act granting increase of pension to Elvin A. Esty;

H. R. 2129. An act granting an increase of pension to Warren W. H. Lawrence;

H. R. 1681. An act granting a pension to Erma G. Harvey;

H. R. 1479. An act granting an increase of pension to Michael Marnane;

H. R. 1380. An act granting an increase of pension to Mary Tate;

H. R. 2316. An act to correct the military record of Albert Boker;

H. R. 5217. An act granting increase of pension to Elizabeth P. Sigfried;

H. R. 5183. An act granting increase of pension to William Holdridge;

H. R. 6434. An act granting a pension to Mary J. Fitch;

H. R. 5600. An act granting increase of pension to John G. Sanders;

H. R. 7982. An act granting increase of pension to William T. Peterson;

H. R. 11353. An act making appropriations for the current and contingent expenses of the Indian Department, etc.;

H. R. 6441. An act granting increase of pension to William H. Wood;

H. R. 7018. An act for the relief of Robert J. Spottswood and the heirs of William C. McClellan, deceased;

H. R. 6645. An act granting increase of pension to Ann E. Austin; and

H. R. 9656. An act granting increase of pension to Lunsford Y. Bailey.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3439. An act to amend an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes;" and

S. 5387. An act to change the terms of the circuit courts of the United States within the first circuit.

And then, on motion of Mr. PAYNE (at 4 o'clock and 45 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting certain recommendations in relation to the balance of appropriation for international exposition at Paris—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4990) granting an increase of pension to George F. Gregg, reported the same with amendment, accompanied by a report (No. 1960); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5152) granting a pension to Mary Welch, reported the same without amendment, accompanied by a report (No. 1961); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8149) granting an increase of pension to James B. Martin, reported the same with amendment, accompanied by a report (No. 1962); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14146) granting an increase of pension to John Murphy, reported the same with amendment, accompanied by a report (No. 1963); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12430) granting a pension to Abner H. Lester, reported the same with amendments, accompanied by a report (No. 1964); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13063) granting a pension to Julia B. Shurtleff, reported the same with amendments, accompanied by a report (No. 1965); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10339) granting an increase of pension to John L. Moore, reported the same with amendment, accompanied by a report (No. 1966); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8573) granting a pension to William McDaniel, reported the same with amendment, accompanied by a report (No. 1967); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12305) granting an increase of pension to Charles Olson, reported the same with amendment, accompanied by a report (No. 1968); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions,

to which was referred the bill of the House (H. R. 14012) granting a pension to Fannie Reardon, widow of Patrick Reardon, alias Dunn, reported the same with amendments, accompanied by a report (No. 1969); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14208) granting an increase of pension to Alexander Murdock, reported the same without amendment, accompanied by a report (No. 1970); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8576) granting a pension to John S. Upshaw, reported the same with amendment, accompanied by a report (No. 1971); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12968) granting an increase of pension to John T. Mull, reported the same with amendment, accompanied by a report (No. 1972); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13594) granting an increase of pension to Robert Hargreave, reported the same with amendments, accompanied by a report (No. 1973); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13944) granting a pension to Margaret Ann West, a nurse of United States Volunteers, reported the same with amendments, accompanied by a report (No. 1974); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2477) granting an increase of pension to Benjamin Zane, reported the same with amendment, accompanied by a report (No. 1975); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2551) granting a pension to Amelia Engel, reported the same without amendment, accompanied by a report (No. 1976); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4706) granting an increase of pension to William Harrington, reported the same without amendment, accompanied by a report (No. 1977); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4732) granting an increase of pension to Charles H. Hazzard, reported the same without amendment, accompanied by a report (No. 1978); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3998) granting an increase of pension to Emma L. Kimble, reported the same without amendment, accompanied by a report (No. 1979); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4871) granting an increase of pension to Helen M. Worthen, reported the same without amendment, accompanied by a report (No. 1980); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4983) granting a pension to John W. Smoot, reported the same without amendment, accompanied by a report (No. 1981); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4655) granting an increase of pension to Oliver K. Wyman, reported the same without amendment, accompanied by a report (No. 1982); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4862) granting an increase of pension to James Welch, reported the same without amendment, accompanied by a report (No. 1983); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 3555) for the relief of William Dugdale, reported the same without amendment, accompanied by a report (No. 1984); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the Senate (S. 916) for the relief of Clara H. Fulford, reported the same without amendment, accompanied by a report (No. 1985); which said bill and report were referred to the Private Calendar.

Mr. THOMAS of Iowa, from the Committee on Claims, to which was referred the bill of the House (H. R. 13257) to refund penalty to the Bank of Colfax, Iowa, reported the same without amendment, accompanied by a report (No. 1986); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the Senate (S. 2709) for the relief of John F. Finney, reported the same without amendment, accompanied by a report (No. 1987); which said bill and report were referred to the Private Calendar.

Mr. WEEKS, from the Committee on Claims, to which was referred the bill of the House (H. R. 1517) for the relief of Robert Brigham, reported the same with amendment, accompanied by a report (No. 1988); which said bill and report were referred to the Private Calendar.

Mr. NEVIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 9061) for the relief of the heirs of Margaret Kennedy, reported the same with amendment, accompanied by a report (No. 1989); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. SCOTT: A bill (H. R. 14348) for the appointment of an additional United States commissioner and constable in the Indian Territory—to the Committee on the Judiciary.

By Mr. KEHOE: A bill (H. R. 14349) to establish a fish-hatching and fish-culture station in northeastern Kentucky—to the Committee on the Merchant Marine and Fisheries.

By Mr. LOVERING: A bill (H. R. 14350) to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. PARKER: A bill (H. R. 14351) to provide for a national park commission—to the Committee on Military Affairs.

By Mr. SCHIRM: A bill (H. R. 14352) to provide for the retirement of certain letter carriers and postal clerks, and regulating the pay of the same—to the Committee on the Post-Office and Post-Roads.

By Mr. JONES of Washington: A bill (H. R. 14353) to authorize the United States Commissioner of Fish and Fisheries to establish fish-cultural stations, including the purchase of sites, construction of buildings and ponds, and equipment; to establish in the State of Florida on the Gulf of Mexico a station for the investigation of problems connected with the marine fishery interests of that region; to provide for an investigation to determine the best available locality in Oregon or Washington at which to establish a biological station, making appropriations therefor, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. GORDON: A bill (H. R. 14379) for the erection of a memorial building or monument at Fort Recovery, Ohio—to the Committee on Military Affairs.

By Mr. SCARBOROUGH: A bill (H. R. 14380) to authorize the construction of a bridge across Waccamaw River, at Conway, in the State of South Carolina, by Conway and Seashore Railroad Company—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: A resolution (H. Res. 249) requesting information relative to purchase and distribution of seeds—to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BOWERSOCK: A bill (H. R. 14354) granting an increase of pension to Elizabeth Siples—to the Committee on Invalid Pensions.

By Mr. BRISTOW: A bill (H. R. 14355) granting an increase of pension to Timothy Donohoe—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 14356) for the relief of William D. Clay and others—to the Committee on the Public Lands.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 14357) for the relief of Paymaster James E. Tolfree, United States Navy—to the Committee on Claims.

Also, a bill (H. R. 14358) for the relief of Pay Clerk Charles Blake, United States Navy—to the Committee on Claims.

By Mr. FOSTER of Vermont: A bill (H. R. 14359) granting a pension to Luther G. Edwards—to the Committee on Pensions.

By Mr. HAMILTON: A bill (H. R. 14360) granting an increase of pension to Will H. S. Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14361) granting an increase of pension to Joseph M. Alexander—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 14362) granting an increase of pension to William M. Lloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14363) granting an increase of pension to Joseph L. Vaughan—to the Committee on Invalid Pensions.

By Mr. JACKSON of Kansas: A bill (H. R. 14364) to correct the military record of Patrick Conlin—to the Committee on Military Affairs.

By Mr. JETT: A bill (H. R. 14365) granting a pension to Juliet K. Phillips—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 14366) granting a pension to Jesse Cordial—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14367) granting a pension to Andrew Cooksey—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 14368) for the relief of Willoughby L. Wilson, administrator of the estate of Willoughby Wilson, deceased—to the Committee on War Claims.

By Mr. MILLER: A bill (H. R. 14369) granting an increase of pension to Franklin Fish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14370) granting an increase of pension to William McHenry—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 14371) granting an increase of pension to Peter McGinniss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14372) to remove the charge of desertion from record of Peter Calligan—to the Committee on Military Affairs.

By Mr. PADGETT: A bill (H. R. 14373) granting an increase of pension to W. H. Loyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14374) granting a pension to Samantha Towner—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 14375) to authorize the President to appoint Brig. Gen. H. C. Maman to the grade of major-general in the United States Army on the retired list—to the Committee on Military Affairs.

By Mr. RIXEY: A bill (H. R. 14376) granting a pension to Burnetta B. Lehmann—to the Committee on Invalid Pensions.

By Mr. STARK: A bill (H. R. 14377) granting a pension to Josephine Stewart—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 14378) granting a pension to Reuben Vermillion—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 14381) granting an increase of pension to George Riddle—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN of Maine: Petition of Arthur I. Corser and 296 other citizens of Portland, Me., for repeal of the duties on beef, veal, mutton, and pork—to the Committee on Ways and Means.

By Mr. BUTLER of Pennsylvania: Petition of W. P. Snyder and others, of Spring City and vicinity, Pennsylvania, favoring the passage of House bill 10793, prohibiting the use of "Jim Crow" cars in interstate business—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of General George A. McCall Post, No. 31, Grand Army of the Republic, Department of Pennsylvania, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Petition of the Interdenominational Council of Women for Christian and Patriotic Service, with certain tracts, in relation to polygamous marriages—to the Committee on the Judiciary.

By Mr. CAPRON: Resolutions of Babbitt Post, No. 15, of Bristol, Department of Rhode Island, Grand Army of the Republic, favoring House bill 3067, relating to pensions—to the Committee on Invalid Pensions.

By Mr. CROMER: Petition of Herman Marx and other citizens of Alexandria, Ind., in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

Also, resolutions of the common council of Hartford, Conn., and of the Manhattan Association, of New York City, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DEEMER: Resolutions of a meeting of 300 citizens at Millhall, Pa., asking that the sale of liquor at National Homes for old soldiers be abolished—to the Committee on Military Affairs.

Also, resolutions of the same, in relation to legalized vice and saloons in the Philippines—to the Committee on Insular Affairs.

By Mr. DRAPER: Resolutions of Iron Trades Council of San Francisco, Cal., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. FITZGERALD: Resolutions of Iron Trades Council of San Francisco, Cal., urging an amendment to the naval bill to provide for the building of three instead of one vessel at a navy-yard—to the Committee on Naval Affairs.

By Mr. GRIFFITH: Petition of C. A. Stanton's Sons, in favor of amendments to the bankruptcy act—to the Committee on the Judiciary.

By Mr. GORDON: Statement to accompany House bill 14321, granting a pension to Mrs. Harriet Fisk—to the Committee on Invalid Pensions.

By Mr. HITT: Resolutions of the Germania Society of Freeport, Ill., favoring an expression of sympathy with the people of the South African Republic and the Orange Free State—to the Committee on Foreign Affairs.

By Mr. HOLLIDAY: Resolutions of Local Union No. 418, of Jasonville, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HULL: Resolutions of Mine Workers' Union No. 1761, of Madrid, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. JOHNSON: Petitions of T. Q. Donaldson and 37 other lawyers of Greenville; R. T. Jaynes and 6 other lawyers of Oconee County; C. E. Robinson and 6 others of Pickens, State of South Carolina, for the passage of House bill 14202—to the Committee on the Judiciary.

By Mr. JOY: Paper to accompany House bill granting a pension to Charles Etzell—to the Committee on Invalid Pensions.

By Mr. MAYNARD: Petition of Willoughby L. Wilson, administrator de bonis non of Willoughby Wilson, deceased, with itemized account and certificate of administration, in relation to claim—to the Committee on War Claims.

By Mr. MILLER: Papers to accompany House bill granting a pension to William H. McHenry—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Franklin Fish—to the Committee on Invalid Pensions.

By Mr. NAPHEN: Remonstrance of Massachusetts State Board of Trade against the admission of Territories—to the Committee on the Territories.

By Mr. NEVILLE: Resolutions of the Nebraska Real Estate Dealers' Association, protesting against leasing public lands to individuals and private corporations—to the Committee on the Public Lands.

By Mr. NEVIN: Petition of members of the Grand Army of the Republic, of Middletown, Ohio, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

Also, resolutions of Columbus, Ohio, Credit Men's Association in regard to the bankruptcy law—to the Committee on the Judiciary.

Also, resolutions of the League of German-American Societies, of Dayton, Ohio, advocating the adoption of a resolution of sympathy for the Boers—to the Committee on Foreign Affairs.

By Mr. RICHARDSON of Tennessee: Petition of citizens of Shelbyville, Tenn., to accompany House bill 2693, in behalf of Jordan H. Moore, asking to be restored to the pension roll—to the Committee on Military Affairs.

By Mr. ROBINSON of Nebraska: Papers to accompany House bill granting an increase of pension to Hiram A. Hober—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 13958, granting an increase of pension to Charles C. Pemberton—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of Peter Coyle—to the Committee on Military Affairs.

By Mr. RUPPERT: Resolutions of Chamber of Commerce of New York City, protesting against the passage of certain sections of House bill 12250—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the Iron Trades Council of San Francisco, Cal., urging Congress to provide for at least three war ships to be built in Government navy-yards—to the Committee on Naval Affairs.

By Mr. RUSSELL: Petition of United Brotherhood of Carpenters and Joiners' Union No. 137, favoring an amendment to sundry civil bill increasing the appropriation for Geological Survey to \$200,000—to the Committee on Appropriations.

Also, resolution adopted by the Sons of Temperance of Connecticut, favoring the establishment of post exchanges at our military posts—to the Committee on Military Affairs.

By Mr. RYAN: Resolutions of Iron Trades Council of San Francisco, Cal., for the construction of war ships in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of common council of Kencsha, Wis., urging the passage of House bill 163, to pension employees and depend-

ents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. SELBY: Resolutions of Mine Workers' Unions Nos. 755, of Staunton, and 300, of Nilwood, Ill., for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SHAFROTH: Resolutions of Veteran Post, No. 42, of Denver, Colo., Grand Army of the Republic, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

Also, resolutions of Typographical Union No. 49, of Denver, Colo., in memory of the death of the late Hon. Amos J. Cummings—to the Committee on the Library.

By Mr. SMITH of Kentucky: Petition of Lawrence H. Rousseau, for reference of war claim to Court of Claims—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: Resolutions of the town council of South Haven, Mich., urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: Petition of citizens of El Paso, Tex., in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. WILLIAMS of Illinois: Papers to accompany House bill to amend the military record of William A. Emerson—to the Committee on Military Affairs.

SENATE.

TUESDAY, May 13, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8587) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, further insists upon its disagreement to the amendments of the Senate to the bill, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MAHON, Mr. GIBSON, and Mr. SIMS managers at the conference on the part of the House, with instructions not to agree to what are known as the Selfridge Board findings in the Senate amendments.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

- A bill (S. 182) granting a pension to Mary F. Zollinger;
- A bill (S. 288) granting an increase of pension to De Witt C. Bennett;
- A bill (S. 500) granting a pension to Samuel S. Beaver;
- A bill (S. 1305) for the relief of Mrs. Aribella D. Meeker;
- A bill (S. 1593) granting an increase of pension to Eben C. Winslow;
- A bill (S. 2036) granting an increase of pension to Etta Adair Anderson;
- A bill (S. 2336) granting a pension to Rebecca Coppinger;
- A bill (S. 2347) granting an increase of pension to Alfred M. Wheeler;
- A bill (S. 2461) granting an increase of pension to George McDowell;
- A bill (S. 2632) to amend an act entitled "An act granting to the Clearwater Valley Railroad Company a right of way through the Nez Perces Indian land in Idaho;
- A bill (S. 2755) granting a pension to Ruth H. Ferguson;
- A bill (S. 3279) granting a pension to John Coolen;
- A bill (S. 3331) granting a pension to Ada V. Park;
- A bill (S. 3439) to amend an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes;"
- A bill (S. 3999) granting an increase of pension to Emma S. Hanna;
- A bill (S. 4004) granting an increase of pension to Thomas L. Nelson;
- A bill (S. 4238) granting an increase of pension to Philo F. Englesby;
- A bill (S. 4256) granting an increase of pension to Henry W. Edens;